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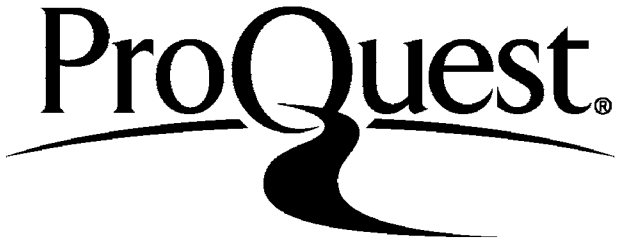

THE CAREER OF PETER OF GAVASTON

AND

HIS PLACE IN HISTORY

Bibliography and Abbreviations.

1. Primary.

(a) Manuscript.

(i) A.C. - Ancient Correspondence. This is a source which has long been known to historians and many letters bearing on Gavaston have already appeared in print. It has therefore yielded little fresh information on Gavaston's career.

(ii) A.P. - Ancient Petitions. What is true of Ancient Correspondence is also, to a less extent, true of Ancient Petitions. Both are artificial collections, and the significance of documents is frequently lost when they are undated and divorced from their context.

(iii) C.R. - Charter Roll. The government calendars of the Charter Roll omit the names of the witnesses to charters. I therefore consulted the original enrolment to see how often Gavaston figured in this rôle.

(iv) Chan. Misc. - Chancery Miscellanea. This is another artificial collection, comprising a great variety of documents, some being Chancery records, others, those of the Exchequer and the Wardrobe. Petitions and letters also appear among them. This collection was found particularly valuable in connection with Gavaston's lieutenancy in Ireland. Petitions from various members of Gavaston's family were also discovered here.

(v) E.R. - Escheators' Rolls. These contain very meagre mention of Gavaston's lands and add nothing to the already existing knowledge of them.

(vi) Exch. K.R. Accts - Exchequer, King's Remem-

brancer, Various Accounts. These are the Particule Compoti which those officers, who were due to render an account at the Exchequer, brought with them, and from which the Account itself or Compotus proper was drawn up by the Auditors. These detailed primary accounts were left by the Accountant at the office of the King's Remembrancer, where they formed a very large collection. From this collection nine special classes have been made, including, for example, the escheators' accounts mentioned above and the ministers' and receivers' accounts mentioned below, but large additions have also been made to it from the documents preserved in the Chapter House, the Augmentation Office, the Pells Office, etc. A number of Wardrobe Accounts are also to be found at the British Museum. For the present study, this class of documents has proved the most remunerative, those accounts which deal with the Wardrobe and Household being especially productive of fresh material: most of the information regarding Gavaston's family, his early career and his household has been derived from this source. Of the other records which comprise this collection, the most useful have been those listed under the categories of 'Army, Navy and Ordnance' and 'Irish Exchequer Documents.'

(vii) G.R. - Gascon Roll. This has occasionally been found useful in connection with Gavaston's family, but everything of importance relating to Gavaston himself seems to have been printed by Rymer.

(viii) I.R. - Issue Roll. This enrolment, which presents in chronological form the payments made to royal creditors out of the revenues of the crown by the Lord Treasurer

and the Chamberlains of the Exchequer, in obedience to royal mandates, has proved valuable in elucidating Gavaston's financial relations with the king.

(ix) L.T.R. Mem. Roll & K.R. Mem. Roll - Lord Treasurer's Remembrancer's Memoranda Roll & King's Remembrancer's Memoranda Roll. These probably owe their origin to the notes which were necessary for the process of audit, both at the Easter View and the Michaelmas Account: hence their contents for the most part have little bearing on the present theme. The communia section, however, which contains the incidental enrolment of writs and other matter not immediately bearing upon the account, has been found useful, inasmuch as, amongst the brevia directa baronibus of the King's Remembrancer's roll, are to be found enrolled writs which have left no trace elsewhere. Generally speaking, the Memoranda Roll of the King's Remembrancer for this period concerns itself with the collection of occasional debts to the crown, and is therefore more useful than that of the Lord Treasurer's Remembrancer, which relates more to the collection of the crown's regular dues and duties.

(x) M.A. - Ministers' and Receivers' Accounts, General Series. As well as the yearly accounts of the royal ministers for those crown lands which did not form part of the firma comitatus and for such lands as from time to time fell to the crown by escheat or forfeiture, this series also contains numerous accounts which were rendered to the lords of various manors by their bailiffs or reeves, prior to the acquisition of these manors by the crown. Unfortunately, however, though accounts for Gavaston's manors are quite plentiful for the time

during which they were in the king's hand, there are only two extant for the time during which Gavaston was in possession. Hence this source is of little use.

(xi) P.R. - Pipe Roll. The information relating to Gavaston's activities and his lands which appears in this final audit of the accounts of the sheriffs and escheators, is a repetition and often an abridgement of original accounts which are still extant.

(xii) Harl. Ms. 636 - Harleian Manuscript 636 (Polistorie del Eglise de Christ de Caunterbyre). This chronicle, which closes with the death of Archbishop Winchelsea, is of little value for the study of Gavaston, except that it contains the full text of the terms of agreement between Gavaston and the barons at Scarborough castle.

(xiii) Add. Mss. - Additional Manuscripts. Much information relating to Gavaston's early career has been derived from this class of documents in the British Museum, which supplements the Wardrobe and Household Accounts of the Public Record Office.

(xiv) Cott. Ms. Nero C viii - Cottonian Manuscript Nero C viii. This collection of Wardrobe Accounts has been found especially useful in connection with Gavaston's last year of life, his flight from the barons and execution.

(b) Printed Works.

(1) Record Material.

(i) C.Ch.R. - Calendar of Charter Rolls.

(ii) C.Ch.R., Various - Calendar of Chancery Rolls, Various.

(iii) C.Ch.W. - Calendar of Chancery Warrants for the Great Seal.

(iv) C.Cl.R. - Calendar of Close Rolls.

(v) C.F.R. - Calendar of Fine Rolls.

(vi) C. Inq.p.m. - Calendar of Inquisitions post mortem.

(vii) C. Inq., misc. - Calendar of Miscellaneous Inquisitions.

(viii) C.P.R. - Calendar of Patent Rolls.

(ix) Cal. Doc. Scot. - Calendar of Documents relating to Scotland, ed. Joseph Bain, (1881-8). Contains many letters relating to the Scottish campaign of 1310-11.

(x) Cal. Carew Mss. - Calendar of Carew Manuscripts, ed. J.S.Brewer and W.Bullen, (1871).

(xi) Cal. Ormond Deeds - Calendar of Ormond Deeds.

(xii) Cal. Pap. Let. - Calendar of Papal Letters.

(xiii) Cal. Pipe Roll Ire. (D.K. Ire. 39th and 42nd Reports)- Calendar of the Pipe Rolls of Ireland in the 39th and 42nd Reports of the Deputy Keeper of the Public Records, Ireland. This and the following three works were invaluable for the study of Gavaston's lieutenancy in Ireland.

(xiv) Cal. Rot. Pat. et Claus. - Rotulorum Patentium et Clausarum Cancellarie Hiberniae Calendarium, ed. E. Tresham, (1828).

(xv) Hist. & Mun. Doc. Ire. - Historic and Municipal Documents of Ireland, from the archives of the city of Dublin, ed. J.T.Gilbert,

(R.S.1870).

(xvi) Lib. Mun. Hib. - Liber Munerum publicorum Hiberniae, ed. R.Lascelles, (1852).

(xvii) Foedera - Foedera, ed. Thomas Rymer, I and II, (Record Commission, 1816-18).

(xviii) Lib. Quot. - Liber Quotidianus Contrarotulatoris Garderobae, (1787). Useful for the Scottish campaign of 1298.

(xix) R.G. - Rôles Gascons, ed. Ch. Bémont and F.Michel, (1885-96)

(xx) Arch. Hist. Gironde - Archives Historiques du Département de la Gironde. Contains many references to members of Gavaston's family, but sheds no light on his relationship to them.

(xxi) Arch. Mun. Bordeaux - Archives municipales de Bordeaux. Contains little that is of any use.

(xxii) In. som. Gironde - Inventaire-sommaire des archives départementales antérieures à 1790: Gironde. Practically useless.

(xxiii) Recueil - Recueil de lettres anglo-françaises, 1265-1399, ed. F.J.Tanquerey, (1916).

(xxiv) Bémont, Recueil - Recueil d'actes relatifs à l'administration des rois d'Angleterre en Guyenne au xiiième siècle, ed. Ch. Bémont, (1914).

(xxv) Rot. Parl. - Rotuli Parliamentorum,i, (1770)

(xxvi) Statutes - Statutes of the Realm,i, (1810)

(xxvii) Parl. Writs - Parliamentary Writs, ed. F.T. Palgrave, (1827-34)

(xxviii) Mun. Gild. Lond. - Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum et Liber Horn, ed. H.T.Riley, (R.S. 1859-62)

(xxix) Carte - Catalogue des rolles gascons, normans et françois, ed. T. Carte, (1743). Useful, but inadequate.

(xxx) Hist. Mss. Comm. - Royal Commission on Historical Manuscripts.

(2) Chronicles.

(i) Murimuth - Adam Murimuth; Continuatio Chronicarum, ed. E.M.Thompson, (R.S.1889). Though not contemporary, having been begun about 1325, this is the only English chronicle to mention Gavaston's good services in Ireland.

(ii) Chronicles of the Reigns of Edward I and II, ed. W.Stubbs (R.S.1882). These will be referred to by the name of the particular chronicle only, plus the number of the volume in which it occurs. Thus:

A. Ann. Lond., i - Annales Londonienses. According to Stubbs, this may possibly be the work of Andrew Horn, Fishmonger, chamberlain of the city of London from c. 1320. In parts merely a memoranda of records relating to the history of London, from 1301 to 1316, it is 'simply invaluable.' Certain documents are here given in full, whilst others appear in an abridged form. On the whole, this is perhaps the most valuable chronicle for the period during which Gavaston flourished.

B. Ann. Paul., i - Annales Paulini. Except for the account of the coronation, which is given in unparalleled detail, these

are only brief annals. In places, they agree verbally with Adam of Murimuth's Chronicle mentioned above, but Stubbs is inclined to think that Murimuth was not the author.

C. Gesta Edw., ii - Gesta Edwardi de Carnarvon Auctore Canonico Bridlingtoniensi. This chronicle is of contemporary authorship, but in parts is very meagre. The events of 1308, however, are given in some detail, as is also the account of the appointment of the Ordainers and of their proceedings in general.

D. Vita Edw., ii - Monachi Cuiusdam Malmesberiensis Vita Edwardi ll. This inaptly named chronicle (there is nothing to show that it has any connection with Malmesbury or that it was written by a monk) is in many ways indispensable for the history of the early years of the reign of Edward ll. It is unique in containing an impartial investigation into the cause of Gavaston's unpopularity with the barons and of his attraction for Edward.

E. Vita et Mors Edwardi ll. Merely an abridgement of Geoffrey le Baker's work.

(iii) Chronicon Domini Walteri de Hemingburgh, ed. H.C. Hamilton, (1849). According to Gross, Hemingburgh's "account of the reigns of the three Edwards appears to be derived chiefly from personal knowledge and contemporary report," but in respect of Gavaston,

Hemingburgh is not to be relied on, though he gives a useful account of the course of the quarrel between Edward and his barons.

(iv) Knighton - Chronicon Henrici de Knighton, ed. J.R. Lumby, (R.S. 1889). Mainly derived from Higden and Hemingburgh and of little intrinsic value.

(v) Baker - Chronicon Galfridi le Baker de Swynebroke, ed. E.M.Thompson, (1889). Only a meagre account of the early years of Edward's reign, but nevertheless useful.

(vi) Chron. Melsa - Chronicon Monasterii de Melsa, ed. E.A.Bond, (R.S. 1867). Compiled after 1399, the portion for Edward II's reign being taken mainly from Higden and Hemingburgh.

(vii) Flores Hist. - Flores Historiarum, ed. H.R.Luard, (R.S. 1890). The portion 1306-25 is the work of Robert of Reading, a monk of Westminster, who shows a decided bias against Edward and is therefore not a reliable authority for Gavaston's career.

(viii) Trokelowe - Johannis de Trokelowe Annales, ed. H.T. Riley, (R.S. 1866). Apparently compiled about 1330 and therefore valuable for the reign of Edward II, but singularly inaccurate in respect of the chronology of Gavaston's career. The editor thinks it was probably compiled from a mass of notes, accumulated from time to time and deficient in chronological details.

(ix) Cont. of Trivet - Nicolai Triveti annalium continuatio, ed. A.Hall, (1722). This account, though brief,

is contemporary and is valuable as corroborating the other chronicles.

(x) Polychronicon - Polychronicon Ranulphi Higden Monachi Cestrensis, ed. J.R.Lumby, (R.S. 1882). Practically contemporary (Higden died in 1364), but contains little original information.

(xi) Lanercost - Chronicon de Lanercost, 1201-46, ed. J. Stevenson, (1839). A contemporary chronicle dealing mainly with the relations between England and Scotland. Useful for the Scottish campaign of 1310-11.

(xii) Scalacronica - The Scalacronica of Thomas Gray, ed. J. Stevenson, (1836). Begun in 1355, but nevertheless valuable for the Scottish campaign of 1310-11.

(xiii) Chart. St Mary's - Chartularies of St Mary's Abbey, Dublin .... and Annals of Ireland, ed. J.T.Gilbert, (R.S. 1884). The following abbreviations are used for these annals:

A. Ann.Mon.Beate Marie - Annales Monasterii Beate Marie Virginis juxta Dublin. Excerpts by Sir James Ware.

B. Ann.Hib. - Annales Hibernie.

C. Ann. Mon. Beate Marie, ii - Annales Monasterii Beate Marie Virginis juxta Dublin.

D. Ann.Ire. - Annals of Ireland. Of all the Irish chronicles, this is perhaps the most important. It is probably the sole remnant of an original chronicle from

which was compiled the Annales Hibernie and of which Grace's Annals are probably only another version.

(xiv) Ann. Loch Cé - Annals of Loch Cé, ed. W.H.Hennessy, (R.S. 1871).

(xv) Aungier, Croniques - Croniques de London, ed. G.J. Aungier, (1844). Useful as corroborating the other chronicles.

(xvi) Vitae Paparum - Vitae Paparum Avenionensium, ed. P. Baluze, (1914-27). The biography of Clement V given here (commonly believed to be the work of Ptolomy of Lucca, though Quetif and Echard, Scriptores Ordinis Prædicatorum, p.542, attribute it to an anonymous continuator) contains a very full and circumstantial account of Gavaston's execution.

(xvii) Grace, Annales - Jacobi Grace, Kilkenniensis, Annales Hiberniae, ed. R.Butler, (1842).

(xviii) Ana. Hib. - Analecta Hibernica, (1931), ii.

(xix) Caithréim - Caithréim Thoirdhealbhaigh, ed. S.H. O'Grady, (1929). Proves that Gavaston did not visit Thomond during his stay in Ireland.

(xx) Clyn, Annals - Annals of Ireland by Friar John Clyn and Thady Dowling, ed. R.Butler, (1849)

(xxi) Bk of Howth - Book of Howth apud Calendar of Ormond Deeds, ed. E.Curtis, (1932).

2. Secondary.

(i) Dimitresco - Marin Dimitresco, Pierre de Gavaston, (1898).

(ii) Dodge - W.P.Dodge, Piers Gaveston, (1899).

(iii) Tout, Place of Edw.11 - T.F.Tout, The Place of Edward 11 in English History, 2nd edition revised by Professor H. Johnstone, (1936).

(iv) Tout, Chapters - Chapters in the Administrative History of Medieval England, (1920-33).

(v) Conway Davies - J. Conway Davies, The Baronial Opposition to Edward 11,(1918).

(vi) Clarke - M.V.Clarke, Medieval Representation and Consent, (1936).

(vii) Denholm-Young, Seignorial Administration - N. Denholm-Young, Seignorial Administration in England,(1937). Useful in connection with the working-out of Gavaston's position as a magnate, but not really relevant.

(viii) Marca - Pierre de Marca, Histoire de Béarn, (1640). Invaluable in elucidating the genealogy of the Gavaston family. Very well documented.

(ix) Const. Hist. - W.Stubbs, The Constitutional History of England, ii, (1866).

(x) Montlezun, Histoire - J.J.Montlezun, Histoire de la Gascogne, (1856-83).

(xi) Gilbert, Viceroys - J.T.Gilbert, History of the Viceroys of Ireland, (1865).

(xii) Orpen - G.H.Orpen, Ireland under the Normans, iv, (1911). Most of the historical background for the chapter on Gavaston in Ireland has been derived from this source.

(xiii) Redford - A.Redford, The Climax of Medieval Ireland, unprinted B.A. thesis, Manchester, (1915). Also useful in connection with Gavaston's lieutenancy in Ireland.

(xiv) Wilkinson - B.Wilkinson, "The Coronation Oath of Edward ll" in Historical Essays in Honour of James Tait, (1933). Invaluable for Edward ll's coronation and immediately afterwards.

(xv) Johnstone, Letters - The Letters of Edward, Prince of Wales, 1304-5, ed. H. Johnstone, (1931).

(xvi) Dugdale, Baronage - Sir William Dugdale, The Baronage of England, (1675).

(xvii) Lyubimenko - I.Lyubimenko, Jean de Bretagne, Comte de Richmond, (1908).

(xviii) Journal R.S.A.I. - Journal of the Royal Society of Antiquaries of Ireland.

(xix) R. Hist. Soc. Trans. - Transactions of the Royal

Historical Society.

(xx) Eng. Hist. Rev. - English Historical Review.

(xxi) Rev. Gasc. - Revue de Gascogne.

(xxii) Rev. Hist. - Revue Historique.

(xxiii) V.C.H. - Victoria County History.

Chapter 1

Peter of Gavaston as viewed by posterity.

There are few instances in which the evil consequences of relying mainly on the *dicta* of chroniclers is more evident than in the case of Peter of Gavaston. Not only has posterity thus been led into an estimate of his character, which exaggeration has distorted into a parody of the truth; it has also been deceived into a view of his historical importance which is either misrepresented or unduly magnified, both in its assertions and in its implications.

Contemporary chroniclers were nearly all hostile to Gavaston. Most of them stopped short of the worst allegations against monarch and favourite, which do not appear until later, but they agree, for the most part, in depicting Gavaston as a self-seeking adventurer who loved his presents rather than the king himself, and whose association could be productive of nothing but evil for England.

England had few good chroniclers between those of the reign of Edward II and Walsingham in the late fourteenth century. Henry of Knighton[1] may have flourished *c* 1366, but his work is so largely a redaction of that of the so-called 'monk of Malmesbury' and of Ranulph Higden, that he may almost be term-

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[1] *Chronicon Henrici Knighton monachi Leycestrensis*, ed. J.R. Lumby, (R.S. 1889), i.

ed a contemporary writer. The Scottish chronicles naturally relegate English Affairs to a secondary position, there being no mention whatever of Gavaston, for example, in Barbour's Bruce, and but a bare reference to his death in John of Fordun's chronicle.[1] Froissart seems to confuse Gavaston with the younger Despenser, and in any case is not in this connection an authority of any importance.[2]

a) Walsingham and "the Gavaston legend."

The onus of carrying on the historical tradition and of bridging the gulf between the Middle Ages and modern times, has fallen in the main on Thomas of Walsingham, who, until the later nineteenth century, was the most frequently quoted chronicler of the later medieval period. For Edward II's reign, Walsingham was chiefly indebted to John of Trokelowe's chronicle.[3] Trokelowe made several mistakes in the chronology of the reign, especially in connection with Gavaston's history.[4] In these he has been followed by Walsingham, and, through Walsingham, by many later writers. In Walsingham are to be found the chief ingredients of what we may call "the Gavaston legend," utilised by the polemical and constitutional writers of

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1 The Historians of Scotland, 1: Johannis de Fordun Chronica Gentis Scotorum, ed. W.F.Skene, Edinburgh, (1871), p.346.

2 S.Luce, Chroniques de J.Froissart, (1869), 1, 12-19. Froissart speaks as though Edward had just the one favourite, Despenser, whom he endows, however, with certain of Gavaston's attributes, but for the period before 1324, his chronicle is very brief and mainly derived from other sources.

3 Thomae Walsingham, quondam monachi S.Albani, Historia Anglicana, ed. H.T.Riley (R.S.1863), 1, pp.x-xi. For a detailed account of the descent of the St. Alban's chronicle, v. V.H. Galbraith, The St. Alban's Chronicle, (1937), especially pp. xxx, xlvii, li-liii.

the sixteenth, seventeenth and eighteenth centuries, as a warning to the would-be dictator or royal favourite.

In the Historia Anglicana,[1] only the briefest mention is made of the reason for Edward I's banishment of Gavaston, more specific reason being given in the Ypodigma,[2] viz., that he was exiled because he gave the prince malum concilium. Gavaston thus appears, even as a young man, in the rôle of the evil counsellor,[3] who was perhaps responsible for the prince's youthful excesses, as the stronger personality of the two. Edward II's oath to his dying father not to recall Peter sine communi favore is also recorded, together with his flagrant disregard of it:[4] Edward thus assumes the character of the undutiful and perjured son of popular history. After recording Gavaston's immediate recall by the new king, Walsingham comments on his pride and insolent bearing towards the magnates and details the nick-names which he affixed to this opponents among the earls.[5] In his account of Edward's persecution of Walter Langton, Walsingham follows Trokelowe,[6] refraining from

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4(contd.) H
Hist. Angl., 1, xvii.

1 1, 111.

2 Ypodigma Neustriae a Thomas Walsingham, ed. H.T.Riley (R.S. 1876). The banishment is wrongly recorded under the year 1304.

3 In the Ordinances of 1311, of course, much was made of this vague charge of evil counsel. (V. Statutes of the Realm, (1810), 1, 162, Ordinance xx.)

4 Hist. Angl., 1, 115.

5 Ibid., loc. cit.

6 Annales, p.63.

attributing the king's actions in the matter solely to Gavaston's instigation, though alleging, incorrectly, that the Bishop was found innocent of the charges against him.[1] The popular account of Gavaston's birth follows, together with the often-quoted story of his rise to the supreme position in the young prince's affections, whilst himself preferring the prince's gifts. We have here, too, the allegation (found very commonly in later compilations) that Peter sent the king's treasure and jewels abroad for foreign merchants to keep for his use.[2] Again, Walsingham states that the barons threatened to hold up the coronation unless Edward promised to consent to Gavaston's banishment in the next Parliament, and alleges that Edward's permitting his favourite to carry St Edward's crown enraged both people and clergy.[3] Walsingham's account of the famous tournament at Wallingford is meagre;[4] he is more concerned with Gavaston's pride and avarice, alleging that he plus dilexit pecuniam quam aequitatem, plus respexit munera quam causarum qualitates.[5] Walsingham is inclined to give the magnates credit for good intentions, but considers that fear of losing their positions, no less than anxiety for the preservation of the laws and customs of England, lay at the

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1 *Hist. Angl.*, i, 119. 2 *Ibid.*, p. 120. 3 *Ibid.*, p. 121.

4 *Ibid.*, p. 122. *V. Ann. Paul.*, i, 258 and *Vita Edw.*, ii, 156-7 for more detailed accounts.

5 *Hist. Angl.*, i, 122.

root of their antipathy to Gavaston, especially since no business could be promoted at court without his approval.[1] Further, Walsingham asserts that the forbearance of the magnates deluded the favourite into a false sense of security.[2] Gavaston's exile to Ireland is mentioned, but Walsingham confines his remarks on it to Edward's machinations for Peter's recall, incorrectly asserting that this was eventually contrived by means of a marriage between the favourite and the earl of Gloucester's sister, and omitting any reference to Gavaston's creditable achievements in Ireland.[3] After Gavaston's return, according to Walsingham, his conduct towards the nobles became more insufferable than ever, and his ascendancy over Edward even more pronounced, the king being so infatuated as to allow his favourite's plunderings to stint him of even the barest necessities, and the queen being reduced to complain to her father, the king of France, of her destitute condition.[4] Walsingham believed that Gavaston's reason for returning to England after his final exile, was that he relied on Edward's power to protect him, and on Gloucester's goodwill. This apparently rests on Trokelowe's report of Gavaston's supposed account of the matter.[5] Walsingham's account of Gavaston's final fight for his life is

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1 Ibid., pp.122-3.

2 Ibid., p.123: sed hoc fieri posse minime credidit dictus Petrus.

3 Ibid., pp.124-5; Ypod., p.242. In both works the date of Gavaston's exile to Ireland is given as 1310, after the publication of the Ordinances. Walsingham represents Gloucester as being opposed to Gavaston's marriage with his sister: licet multum Comiti displicerent. Gavaston's marriage actually took place on 1 November, 1307 (Exch. K. R. Accts., 373/15,f.21).

4 Hist. Angl.,i,125; Ypod.,p.243.

5 Hist. Angl.,i,126; Annales, p.69.

given in some detail and in spirited language.[1] Incidentally, too, it must not be overlooked that Walsingham follows the author of the Vita Edwardi in regarding Peter as a mere episode in Edward's life, an infatuation from which he soon recovered.[2]

b) The growth of the Gavaston legend in the sixteenth century.

(i) In historical writers.

All the characteristics of Walsingham's Gavaston, coupled more often than not with total omission of reference to his creditable achievements in Ireland and Scotland, appeared with monotonous regularity in the works of most historians of note until the latter half of the nineteenth century.

After Walsingham, historical writers were few, before the beginning of that unbroken chain of historians, in which the first link was Polydore Vergil. One historian of the late fifteenth century, the Scotsman, Hector Boece, says merely that Gavaston was hated both by the English and the Scots.[3] Another, the Englishman, Fabyan, gives what was by that time the usual account of Gavaston's career, representing Edward as "ruled all by his wanton counsayll."[4]

The sixteenth century saw some advance in historical

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1 Hist. Angl., i, 131-3.

2 After the birth of a son to Edward, hilaris est effectus, ut dolorem quem de morte Petri conceperat, temperaret. (Hist. Angl., i, 135.) The "monk of Malmesbury" (op. cit., p.188) expresses the same opinion in almost identical terms: dolorem namque regis quem ex morte Petri conceperat valde mitigavit.

3 John Bellenden, The History and Chronicles of Scotland by

method, yet, though historians now began to develop more critical acumen, Gavaston still fared badly at their hands. Polydore Vergil's account of him is very brief,[1] but in the main, though he admits that Gavaston's death wrought no change for the better in Edward's character, he accepts the old view of the Gascon as filling the court with buffoons, sycophants and parasites, to pander to Edward's love of amusement, and considers his execution justified, inasmuch as nullam vivendi habuit rationem.[2]

In 1577 Holinshed's Chronicles[3] were published. This brought in a new element, for Holinshed seems to have been the first among later writers to allege that Edward was seduced by Gavaston into "filthy and dishonourable exercises".[4] In other respects, Holinshed follows Walsingham in the main, except as regards the date of Gavaston's marriage, which he gives correctly,[5] the mention (though not very laudatory) of his presence on

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3(contd.) Hector Boece, (1821), ii,385.

4(contd.) Robert Fabyan, The New Chronicles of England and France, (1811), p.7.

1 Polydore Vergil, Historiae Anglicae libri xxvii, (1651), pp.445-6.

2 Ibid., p.446.

3 Raphael Holinshed, The Third Volume of Chronicles, (1586).

4 Op. cit.,p.318.

5 Ibid., loc. cit.

the Scottish campaign of 1310-11,[1] and the statement that the birth of a son to him wrought no improvement in Edward's character.[2] Holinshed's description of Gavaston as the king's "best beloved familiar," "scornful and voluptuous," who would not yield an inch to any of the English magnates, who "provoked the king to all naughty rule and riotous demeanour" and sent his treasure out of England,[3] was slavishly followed by many later historians.

Foxe represents Edward ll as "given to overmuch drinking and such vices as thereupon be wont to ensue," and alleges that Gavaston's counsel made him worse, in so far as he ruled "both the king and the realm, and all things went as he would," and, misusing his power, he plundered the royal treasury and "incensed and provoked him" (the king) "to much outrage and wantonness": further, Foxe improves on Holinshed's "filthy and dishonourable exercises," by alleging that Gavaston "brought the king by mean of his wanton conditions to manifold vices, as adultery and such other like."[4] Grafton, in his brief account of Gavaston's doings, makes the same allegation in almost identical terms, and borrows from Fabyan the charge that the king "was ruled all by his wanton counsel."[5]

Stowe, more cautious, did not include this new charge in

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1 Ibid., p.320.

2 Ibid., p.321.

3 Ibid., pp.319-21.

4 John Foxe, The Acts and Monuments, (1877), ii, 641,643,644.

5 Richard Grafton, The Chronicle of England, (1809), 308-9.

his account. In his Summarie of the Chronicles, he gives the usual story of Gavaston's exiles and returns, omitting all mention of his Irish and Scottish achievements.[1] In The Annals, he reproduces, from the Dunstable Chronicle, the barons' charge that Gavaston's father was executed for treachery by the king of France, that his mother was a witch, and that he himself had been banished from France for consenting to her witchcraft, but offers no opinion on the truth of these charges.[2] On the whole, Stowe appears to hold a brief for the barons, whom he credits with good intentions, depicting Lancaster, for example, as "noble in lineage, valiant in arms, excellent in fame for his manners and justice."[3]

(ii) In non-historical literature and English poetry.

Using Holinshed, playwrights and poets began to turn to account the dramatic possibilities of Edward 11's infatuation for Gavaston. Hence Gavaston occupies a prominent rôle in Marlowe's Edward 11. Here, Isabella is depicted in a very favourable light, pining for Edward's love and hating the favourite for taking him from her, even contriving Gavaston's recall from Ireland in the hopes of thereby winning her husband's affection.[4] Gavaston is shown as a reckless upstart who

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1 John Stowe, A Summarie of the Chronicles of England, (1575), pp.237-40.

2 John Stowe, The Annals of England, (1615), p.213.

3 Ibid.,p.215.

4 The Works of Christopher Marlowe, ed. Rev. A. Dyce, (1858), pp. 186-7, 189-91.

heedlessly alienates the baronage, and Edward's later fondness for the younger Despenser is represented as the outcome of his desire to obtain revenge for Peter's execution. Thus Marlowe's portrait of Gavaston is something of a departure from the 'authorised version,' a return to which was made by Michael Drayton in his Legend of Piers Gaveston. In this poem, which is written in the first person, as though emanating from Gavaston himself, Edward and Peter are depicted in the rôles of a Jove and Ganymede "wandring in the labyrinth of lust" and descriptions of their criminal relations are piled on with a salacious relish.[1] In such a context, Gavaston's historical importance assumes a secondary position, but he is nevertheless made to inform the reader that in affairs of state "My hand the racket, he" (Edward) "the tennis ball," and to confess that his rapid advancement after his return from exile at the beginning of Edward's reign, so fired his ambition that he deliberately sought to foment discord between king and barons, by telling Edward that they sought his life.[2]

(iii) Gavaston in French polemical literature.

Walsingham's Gavaston had by now become stereotyped into the king's favourite par excellence, and it was but in the natural order of things that his career and untimely fate should be fashioned into a moral tale for the benefit of those

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1 Michael Drayton, The Tragicall Legend of Robert, Duke of Normandy, etc., (1596), cantos 36, 53.

2 Ibid., cantos 37, 124.

who showed like tendencies. It was in France that these potentialities were first realised.[1] Dimitresco has pointed out that as early as the sixteenth century, Gavaston was made the subject of a French political pamphlet by Jean Boucher,[2] which was designed as a warning to the Duc d'Epernon, the favourite of Henry 111, to whom it is ironically dedicated and between whom and Gavaston there follows a detailed comparison.[3] Admittedly drawn from Walsingham,[4] this adds nothing new to the popular representation of Gavaston.

Later, in the mid-seventeenth century, Gavaston appeared in an anonymous pamphlet directed against Mazarin, which is obviously an abridged redaction of the previous work.[5] Here Gavaston was referred to as le plus ambitieux, le plus turbulent et le plus superbe de tous les hommes, and was charged with amassing wealth at Edward's expense even in his early youth.[6]

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1 P.15.

2 Jean Boucher, Histoire tragique et memorable de Pierre de Gaverston, Paris, (1588).

3 The Duc's family name, Periure de Nogarets, is treated as an anagram of Pierre de Gaverston.

4 Tirée des Chroniques de Thomas Walsingham appears in the title.

5 Histoire Remarquable de la Vie et Mort d'un Favory Du Roy D'Angleterre, Paris, (1649). V. Dimitresco, p.15.

6 Op. cit., pp.7-8.

Both works emphasise the reconciliation which took place between Edward and the barons after Gavaston's death, and neither recounts against monarch and favourite the charges made by contemporary English historians.

c) The Gavaston of Sir Richard Baker.

With one exception, the English historians of the seventeenth century followed Walsingham and Holinshed in their attitude towards Gavaston. Camden says that he corrupted Edward's youth, and that "having poisoned the king's mind, he disdained every man of worth, insolently seized the property of every individual, and, being an artful and cunning man, fomented discord between the King and the nobility."[1] Speed also relies mainly on Walsingham and Holinshed and is equally hostile to Gavaston.[2]

Sir Richard Baker, however, made an attempt at an impartial version of Gavaston's career, the first of its kind.[3] True, his Gavaston is still Edward's 'minion,' whose association with the king served only to bring out the worst side of his master, and his chronology is still often at fault,[4] but his description of the favourite as "a man of excellent parts of body and of no less endowments of mind," who in Ireland per-

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1 Richard Gough, William Camden's Britannia, (1789), i,8,ii,328.

2 John Speed, The History of Great Britaine, (1632), pp. 650-3.

3 Sir Richard Baker, A Chronicle of the Kings of England, (1730).

4 The issue of the Ordinances, for example, is given as previous to, and Gavaston's marriage as subsequent to his exile to Ireland. (p.106)

formed everywhere "much service with great valour and worthiness, that if he had stayed there but a while longer, he might perhaps by his deserts in Ireland, have redeemed his defects in England,"[1] is in striking contrast to those of his contemporaries and immediate successors. Undoubtedly Baker falls into some of the old errors in connection with Gavaston's career,[2] but on the whole, though he thinks the baronial enmity towards him justified, inasmuch as the country could have little hope of justice while he was in power,[3] his verdict is more impartial than any pronounced earlier. He omits those allegations with regard to the nature of the relationship between monarch and favourite, without which no English account of Gavaston since Holinshed seems to have been considered complete. Further, he tacitly admits that in the main the earls were opportunist and self-seeking,[4] and recounts the story of the treachery and execution of Gavaston's father and the witchcraft of his mother, as an example of the lengths to which the magnates were prepared to go to engineer the downfall of their successful rival, rather than as authentic information.

d) Return to the stereotyped account of Gavaston.

Baker's effort at weighing his authorities was not

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1 Ibid., pp.106-7.

2 He alleges, for example, that Gavaston shamelessly plundered the treasury. (p.195)

3 Ibid., p.107.

4 "Gavaston's advancing was their debasing." (p.107).

followed by his immediate successors. Dugdale's Baronage,[1] which mainly gives merely a catalogue of Edward's grants to Gavaston, and which contains several chronological errors,[2] depicts Gavaston as a vain young man who corrupted Edward in his youth by his lewd conversation,[3] and who exploited him to the full on his accession. Sir Robert Howard also mentions Gavaston in his History of the Reigns of Edward and Richard II[4] and his Historical Observations on the Reigns of Edward I, II, III and Richard II:[5] both accounts are in almost verbal agreement. Howard's Gavaston is briefly described as a personally charming young man whose mind and frame were "equally fitted for luxuries," who was not without courage, but who, when raised to power, "was as insolent as his fortune was great,"[6] and whose influence on the king was entirely for evil.

The most flagrantly misrepresented account of Gavaston of the seventeenth century appeared in 1680.[7] Gavaston was there represented as "the Ganymede of Edward's affections,"

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1 Sir William Dugdale, The Baronage of England, (1675), ii,41-4.

2 The date of Edward's coronation, for example, is given as 3 February, 1309. Further, Edward's grant to Gavaston of the lands of Isabella de Fors appears in Dugdale's chronology to have been shortly after the favourite's marriage, the date of which is incorrectly given as soon after Edward's own wedding.

3 Op. cit., p.41.

4 (1690), pp.37-45.

5 (1689), pp.39,44-8.

6 Hist. Observ., p.39.

7 The History of the most unfortunate Prince, King Edward the Second, believed to be the work of Henry Cary, 1st Viscount Falkland.

a man "as base in birth as in conditions," "a syren" and "a parasite," an "untimely mushroom," "a wily serpent," and a "beloved minion."[1] This account is full of historical inaccuracies[2] and Edward's recall of Gavaston immediately on his accession is represented as a manifestation of his desire for absolutism.

There is also a brief mention of Gavaston in the anonymous Numerus Infaustus, which was published in 1689 "with some design," to use the words of the Advertisement, "of making a compliment to the happy effects of the late revolution." Here, again, though Edward is represented in a favourable light,[3] his favourite is described as "the Pandar to the young Prince's lusts and the debaucher of his youth," and it is related that Edward grew "scandalously fond of him."[4]

Finally, in the seventeenth century, we have The Deplorable Life and Death of Edward the Second, King of England together with the Downfall of the two Unfortunate Favorits, Gavestone and Spencer, a poem by Sir F. Hubert, published in 1628. This is chiefly of interest as illustrating the contemporary popular idea of Gavaston, though the author seems to show some acumen in blaming Edward 1 for not having had Gavaston executed instead of exiled when his association with his

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1 Op. cit., pp.3,4,7,8.

2 V. ibid., pp.9& 12 for two typical examples.

3 Op. cit., p.20.

4 Ibid., p.21.

son proved detrimental to the latter.[1] Otherwise, however, the poem is mainly concerned with exploiting to the full the Jove and Ganymede simile.[2]

e) Eighteenth century contributions to the Gavaston legend.

Two anonymous works may be noted in the eighteenth century. The History of the Life and Reign of Edward II[3] was the first to crystallise what had hitherto been implied rather than asserted concerning Gavaston's potential importance in the administrative sphere. Here, though still described as the 'lewdest' of Edward's favourites and "the most wanton debauch'd youth in all his dominions," he was also called a 'statesman' and a 'secretary of state.'[4] More specific assertions of Gavaston's constitutional importance appeared in The Prime Minister and King,[5] wherein Gavaston was described as a Prime Minister, disposing of all offices and ruling all England through Edward, in which capacity he governed the state "with absolute sway" and "arbitrary power," used his influence over Edward to divert him from prosecuting the war with Scotland, and, instead of inspiring the king with a love of glory and virtue, filled the court with libertines, buffoons and

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1 Canto 104.

2 V. especially cantos 43 and 107.

3 By the author of The Life and Reign of Henry VI, (1713).

4 Op. cit., pp.3-4.

5 First published in 1720 and again in 1740 under the title of The Life and Death of Pierce Gaveston, Earl of Cornwal, Grand Favourite and Prime Minister to ..... Edward II, King of England.

parasites, to the "entire decay of the publick affairs."[1] Lancaster now appeared rather in the light of the guardian of the English constitution,[2] and Gavaston's execution was represented as the chief cause of future friction between king and barons, Edward being determined never to forget or forgive so bold a trespass on his prerogative.[3] Though nothing to this effect appears in the text, it is tempting to regard the conjunction between Gavaston's sudden efflorescence from a vicious parasite into an all-powerful Prime Minister, and Walpole's advent to power, as more than a coincidence.

From being used as a political moral, Gavaston's greatly exaggerated constitutional importance now became embodied in popular history. To Rapin de Thoyras, for example, though still a "young man of very debauched life," Gavaston is at the same time "absolute master of his" (Edward's) "own and the kingdom's affairs" and uses his influence to divert Edward from pursuing the Scottish war: he governs the state "with absolute sway, without sharing his power with any person whatever" and his evil influence is manifest by a "scandalous licentiousness at court and an entire decay of public affairs."[4]

Carte's emphasis on Gavaston's place in English constitutional history is even more pronounced: he is "the chief minister in all affairs," "the great chamberlain of England and

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[1] Ibid., pp.14, 20, 15. [2] Ibid., pp. 33-4. [3] Ibid., p.43.

[4] Rapin de Thoyras, The History of England, 3rd edition, (1743), i, 385, 388-91.

the king's secretary," who effects great changes in the administration.[1] Carte, whilst still clinging to the popular conception of Gavaston,[2] not only gives him credit for the great service which he did in Ireland and for the able manner in which he acquitted himself against the Scots,[3] but evidently thinks he was also responsible in no small measure for the government of the kingdom.[4]

To the acceptance of Gavaston as an arbitrary despot, which was by this time almost universal, an exception was made by David Hume, to whose rationalistic mind the favourite appeared as a "vain-glorious, profuse, rapacious" young man, who insinuated himself into Edward's affections by supplying him with "innocent, though frivolous amusements," became "giddy with prosperity," "took delight in foiling the English nobility" and eventually perished because he never troubled to form a party. Hume frankly confesses himself mystified by the fact that Gavaston's behavious should have excited the barons to such desperate courses: "though there had been scarcely been any national ground of complaint, except some dissipation of the public treasure; though all the acts of maladministration objected to the king and his favourite seemed of a nature more proper to excite heart-burnings at a ball than commotions in a great kingdom; yet such was the situation of the times, that the

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[1] Thomas Carte, A General History of England, (1750), ii, pp.307-8.

[2] Ibid., pp.300,312.

[3] Ibid., p.317.

[4] Witness, for example, his belief that Parliament's decision to accept Edward 1's base money, resulted from Gavaston's vast dealings with foreign merchants and the consequent exercise in his own behalf of his influence over the king which this cir-

Barons were determined and were able to make them the reasons of a total alteration in the constitution and civil government."[1]

f) The influence of Stubbs.

Most nineteenth century writers seem honestly to have attempted an impartial estimation of Gavaston and his historical importance: even Turner,[2] who is blind to his constitutional significance, and who refuses him credit for his service in Ireland,[3] admits that, though Gavaston might have been the immediate tempter, Edward 1 was the real corrupter of his son, "by surrounding him with those indulgences and distinctions which preclude the formation of an active intellect , a steady judgment and moral habits,"[4] and further suggests, though without any apparent foundation, that Gavaston's elegant accomplishments were adapted to soften and civilise public manners, and that he therefore probably left some serviceable impressions on the court and the nation.[5] Lingard is not nearly so circumspect: crediting Gavaston with showing political acumen in

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4(contd.) cumstance rendered necessary. (p.308)

1 David Hume, The History of England, (1762), ii, 127-30.

2 Sharon Turner, The History of England, (1875), ii.

3 On his sojourn in Ireland, Turner says (p.104): "His first advantages were succeeded by disaster. He lavished the royal revenues of the country in wasteful expenditure; and his Irish government only impoverished his sovereign and increased the public hatred."

4 Ibid., p.101.

5 Ibid., p.109.

Ireland and military prowess on the Scottish campaign, for his conduct during which he "deserved the praise of a prudent yet enterprising general," he attributes tremendous constitutional influence to him, alleging that on his return from exile in 1307, he was instrumental in engineering an entire change in the offices of government.[1]

This cumulative weight of opinion in favour of Gavaston's profound constitutional significance, was rudely shaken by Stubbs, who altogether minimised his historical importance. Stubbs considers that by the time of Edward ll, the English constitution was strong enough to withstand any attack made on it. Hence his contribution to the study of Edward ll's reign is rather in the nature of an explosion of the accepted constitutional theories, and, as regards his favourite, represents a reversion to the older view of him as "a foreigner greedy of money and power, a misleader of the king, the cause of extravagance and expense to the court, an upstart pretender to a royal alliance, an insolent critic and a rival of the great nobles of the land; but for all that a most accomplished knight."[2] Here, too, it is asserted that Gavaston had no friend but the king, inasmuch as he gained no favour among the poor and endowed no religious house.[3] Indeed, says Stubbs, "considering the very short period during which he was really in power, from July, 1307, to May, 1308, he must have had a

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1 John Lingard, The History of England, (1837. First published 1819-30), iii, 284-5, 287, 291.

2 Chron. Edw. 1 and ll, (R.S. 1883), ii, xlix.

3 Ibid., p.xlix.

wonderful capacity for incurring enmities. Yet no harshness, or oppression is laid to his charge; he engrossed the king's gifts and favours, but is not said to have usurped the rights of other men."[1] To Stubbs, Edward's "stupid but faithful infatuation" for his favourite is the one redeeming feature in his weak and unattractive character, and he alleges that he worked hard to avenge his execution.[2] Elsewhere, Stubbs is even more explicit. "There is no authority for regarding Gaveston as an intentionally mischievous, or an exceptionally vicious man," whilst "the indignation with which his promotion was viewed was not caused, as might have been the case under Henry lll, by any dread that he would endanger the constitution, but simply by his extraordinary rise and offensive personal behaviour."[3] Thus the Gavaston of Stubbs is shorn of the distinguishing characteristics both of unnatural vice and unconstitutional designs.[4] Sir Edward Maunde Thompson's study of Gavaston in the Dictionary of National Biography follows Stubbs very closely.[5]

Stubbs' flair for demolishing accepted theories would seem to be responsible in great part for the unsatisfactory

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1 Ibid., pp. xlix,l.

2 Ibid., p.l.

3 The Constitutional History of England, (1875), ii, 319-20.

4 To Stubbs, Gavaston was of more importance dead than alive. "The blood of Gaveston, thus illegally shed," he says of his execution, "was the first drop of the deluge which within a century and a half carried away nearly all the ancient baronage and a great proportion of the royal race of England ..... The feuds of this reign were the source and example of the internecine struggle under Richard 11 and of all that followed until the battle of Bosworth field and the practical despotism of the Tudors exhausted the force of the impulse and left no more noble blood to shed." (Ibid., p.332)

nature of both the biographies of Gavaston which have appeared in modern times. The first, Pierre de Gavaston: sa biographie et son rôle (Paris, 1898), has been criticised by Professor Tout as in no wise representing the school of Paris at its best.[1] Its chief fault appears to be that the author, M. Marin Dimitresco, has not made the most of his opportunities. In rare instances, for example, he gives a critical analysis of events and episodes,[2] but on other occasions he is content with the accepted account. Further, though in parts he makes lavish use of record material,[3] in others he seems satisfied with the story given by the chroniclers. In short, though Dimitresco succeeds in awakening interest in the subject of his biography, many of his contentions are advanced without sufficient evidence to warrant their acceptance. His main contention seems to be that, though Gavaston was not interested in politics or the author of any political reform, the struggle which his advent to power occasioned between monarch and baronage, resulted in a great impetus to English constitutional development:[4] what the barons sought was the expulsion of foreigners[5] and the limitation of royal authority by means of Parliament.[6] The evidence which he brings forward to support these arguments, however, is inadequate. Further, his argument that Gavaston's execution enunciated the principle that the law was now superior

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Vol. xxi, pp. 76-8.

1 Place of Edward II, p.11, note 2.

2 He gives detailed accounts, for example, of Gavaston's Regencies in England (pp. 27-8) and Ireland (pp. 43-7) and of his exploits in the Scottish campaign. (pp. 60-2)

to the king,[1] inasmuch as it could be interpreted as being in conformity with the Ordinances, is most unsatisfactory, for the execution took place in ~~solemn~~ flagrant violation of a solemn pact between Gavaston and the barons. Dimitresco's work on the whole is deficient on the financial and constitutional side. He tries to show Edward's embarrassing financial situation,[2] but misses its significance as a political factor, and he understands little of the household system of government.

A popular account of Gavaston was written ~~in~~ by W. P. Dodge in 1899.[3] Since he apparently knew nothing of Dimitresco's work, there is much to be said to Dodge's credit. In places his work is even better documented than Dimitresco's,[4] and he also tries to give some account of Gavaston's family. Tout considers the work "altogether unsatisfactory,"[5] and Gross

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3(contd.) Amongst others, he cites Wardrobe Accounts, Issue Rolls, Memoranda Rolls and Gascon Rolls.

4 Pp. 90-1. 5 Pp. 56-9, 88. 6 Pp. 90-1.

1 Pp. 78, 82, 91. 2 Pp. 58-9.

3 Entitled Piers Gaveston. 4 Pp. 8-22.

5 Place of Edw. II, p. 11, note 2.

describes it as "an inaccurate compilation,"[1] but Dodge nevertheless did some service, if only by showing that Gavaston was no historical nonentity, but a figure worthy of closer study.[2]

Both Dimitresco and Dodge apparently agreed with Stubbs' verdict that Gavaston's real historical importance was practically nil. Both, that is to say, premised Gavaston's historical importance, yet neither made more than a desultory attempt at proving it. It is not unlikely that Dimitresco's failure in this respect is due to his reverence, even in spite of himself, for Stubbs' considered verdict, and it is more than probable that the degeneration of Dodge's primary contention that "if Gaveston's career had not been summarily checked, his ambition ..... would have extended to the enlargement of the royal prerogative at the expense of popular rights,"[3] into the final summing-up of his career as "misunderstanding and misunderstood,"[4] is traceable to the same source, the more so since an almost verbal reference to Stubbs appears but a few pages further on from this final solution to the problem.[5]

g) The twentieth-century approach to Gavaston.

With the movement towards the scientific study of

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1 C. Gross, Sources and Literature of English History, (1915), p. 623.

2 It is interesting, as illustrating the prevailing apathy of the later nineteenth century to Gavaston's career, and its general unawareness of his importance, to note the hostile reviews with which Dodge's work was greeted. "It is difficult to understand why this book should have been written," says The Athenæum, (1899), p. 487, and proceeds to ask "was there any occasion for a biography of Gaveston? Dr Stubbs has dealt with his place in history and Sir E. M. Thompson has written his life in the Dictionary of National Biography."

history in recent times, treatment of the problem of Gavaston has improved. Tout dealt with the matter in his Place of Edward 11 in English History, and summarised his views for the general public in his volume of The Political History of England.[1] He shows that Gavaston's career is of no small constitutional importance, even though indirectly: as long as Edward persisted in lavishing favours on such men as Gavaston and the two Despensers, on whom the whole odium of the baronial and the popular opposition could be consentrated, it was hopeless for him to attempt to follow his father's policy of gradually changing the Edwardian constitutionalism of the earlier years of his reign into the despotism which marked its close.[2] Of himself, Gavaston was probably of no great political or administrative

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2 (contd.)
W.E.Rhodes (Eng. Hist. Review, (1900),xv,195) is also of the opinion that the book "had much better never been published." He makes the further objection, and with justification, that Dodge's work is "full of inaccuracies and the remainder borrowed, usually without acknowledgement."

3 P.7.

4 P.189.

5 P.192. From "With all his wealth" to "no heir inherited popular odium" is taken almost word-for-word from Chron. Edw.1 and 11, ii,xlix,l.

1 Vol. iii, 1216-1377, (1920).

2 The Place of Edw. 11, pp.29-30.

importance, - Tout has found no evidence to support the chroniclers'[1] assertion that he was chamberlain - but, inasmuch as he was popularly thought to epitomise the evils of the household system of government, and on that account provoked a struggle between monarchy and baronage which resulted in the issue of the Ordinances, he must be counted as a considerable factor in the differentiation of the constitutional history of the reign of Edward 11 from that of Philip the Fair. Undoubtedly the household system continued, despite the overthrow of Gavaston and the Despensers, but it was so shaken by the constitutional upheavals which the existence of these favourites occasioned, that it was utterly incapable of an access of strength sufficient to rival the public departments of government.

Conway Davies, in his study of The Baronial Opposition to Edward 11,[2] produces evidence to prove that the attack on Gavaston was merely a cloak for an attack on the whole scheme of government which allowed favourites such power. "Gavaston's influence upon the king was purely personal. He made no attempt to interfere in the government of the kingdom He held no official position at court." He was merely the king's prime favourite and confidant, and his influence on the administration was at most only negative, in so far as "he drew the king's mind away from his duty."[3] That Gavaston

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[1] Ibid., p. 11, note 3.

[2] (1918).

[3] Op. cit., pp. 99-100.

himself gave little cause to arouse fierce constitutional opposition, Davies shows by a thorough investigation of some of the most commonplace of the charges against him, such as that of peculation and that of being "the ruler of king and kingdom."[1] The closer study exonerates Gavaston on these points. Nevertheless, Gavaston emphasised the importance of the household system, inasmuch as "he showed how and where it could by excess be made the instrument of royal tyranny." He is important in so far as "in their personal opposition to Gavaston the barons found a bond of union which led them to create their great scheme of government as expressed in the Ordinances." It was only when the moderate men joined the irreconcilables that the baronial opposition became really dangerous to the king," and that they did join must be attributed to "the personal character and influence of Gavaston." When Gavaston was removed, the constitutional opposition died down until focussed anew on Despenser.[2] Davies also shows the importance of Gavaston's death, in so far as it certainly told in Edward's favour, and cites a petition of the convent of Rewley years later, as proof that Edward's love for his favourite was not "a temporary infatuation, but endured long after his death," and, as such, must naturally have clouded the king's relations with the barons for years to come.[3] Davies thus gives a new picture of Gavaston as a perhaps well-meaning but certainly ill-advised young

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1 Ibid., p. 100.

2 Ibid., p. 102.

3 Ibid., p. 85. In 1320, the abbot and convent of Rewley petitioned for the confirmation of their charter, pleading by the soul of Gavaston, their former advocate. (Oxf. Hist. Soc. Collectanea, 3rd series, (1896), p. 120.)

man, a valiant soldier and a skilled administrator (as his feats against the Scots and his government in Ireland prove only too well), whose only vices would seem to have been "pride, ostentation and a love of fine clothes,"[1] certainly nothing to warrant the rancour which he seems everywhere to have excited among the baronage, yet who perished as the result of what was at bottom sheer personal enmity, by reason of the fact that his existence so near the throne acted as a constant reminder of the potentialities, if not so much the actualities of the household system. Davies regards Edward as the winner in the struggle between monarchy and baronage, for his system endured after him. Yet it is evident from the study of Davies' own work that, but for Edward's penchant for favourites, he might well have succeeded in materialising the possibilities of the system, which the barons so feared.

This outline of some of the opinions held concerning Gavaston before the development of modern scientific methods of historical study, emphasises the value of those methods as applied by Tout and Davies to the problem of Gavaston. The present attempt at a detailed analysis of his character and career, underlines their opinion that his main constitutional importance was that, paradoxically, though himself a product of the household system of government, he impeded the development of the domestic, at the expense of the public side of the administration, and thus prevented constitutional retrogression.

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[1] Op. cit., p. 86.

Chapter 11

Gavaston's Early Career.

a) His Origins.

In proportion to the position to which Gavaston attained, the accounts of his origin in the chronicles are very meagre. This is not surprising. Contemporary chroniclers, whilst charging Gavaston with wholesale nepotism, thought the names of his relations too well-known to need mention. Later chroniclers continued the same charge against him, but did not know the name of the recipients of his bounty. The working-out of Gavaston's family relations has consequently been hampered hitherto by lack of knowledge with regard to the members of his immediate family. Until Gavaston's father could be identified, it was difficult to trace his family connections.[1] Only one chronicler mentions his father by name, and that name, Peter, is now known to be incorrect.[2] The only clue to the identity of Gavaston the elder which can be gathered from the chroniclers, is that he was a noble Gascon knight, who

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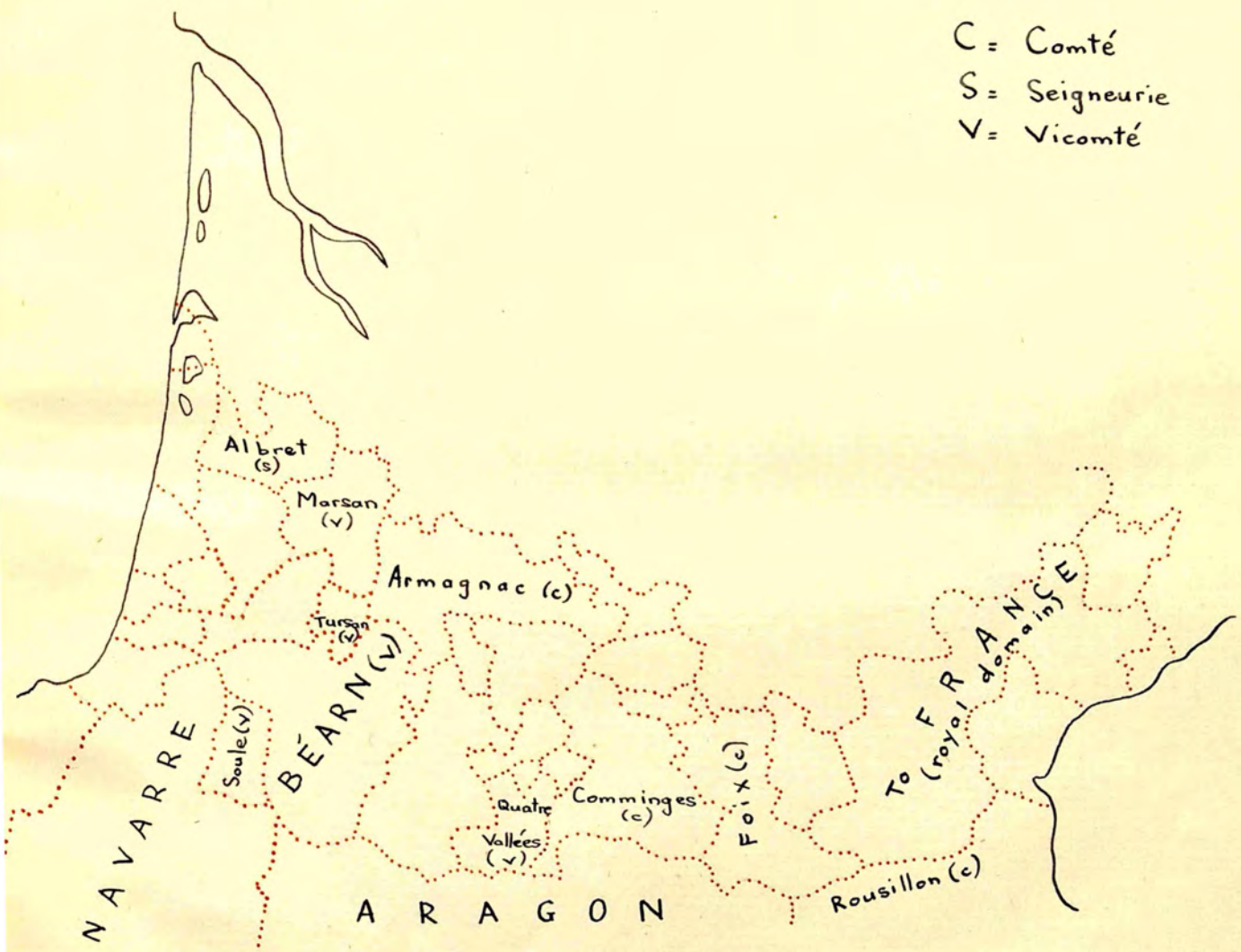
1 The most valiant attempt appears in Dodge, pp. 8-21. As long as Gavaston's parentage remained in doubt, however, there was always the possibility that he might prove to be an adopted son.

2 E cest a sauoyr ke cest Peres de naciun estoit Gascoyn mes fiz de simple chiualer Peres ausi cum le fiz appellee. (Brit. Mus. Harl. Ms. 636, f.232, cited, with one or two verbal errors, by Dodge, p.201).

Sketch map to show the arrangement of the lordships in the south of France after the Treaty of Paris (1259).



served Edward I faithfully and well.[1] In the light of this description, Dimitresco[2] and Dodge[3] identified Peter's father with Sir Arnold of Gavaston. Record evidence has now proved the correctness of this identification.[4]

Gavaston was no upstart.[5] The Gavastons were an ancient and noble Béarnais family who originated in Gabaston,[6] a village situated on the banks of the River Gabas, from which it derives its name. Béarn was by far the most important of the lordships of southern France. From the ninth century it had been ruled by its own viscounts, who were virtually kings, since they acknowledged no overlord. Early references to the Gavastons show them as prominent in Béarnais politics. Dodge, in a chapter on "The Gavestons",[7] put together some facts in the history of the family, obtaining his material mainly from Pierre de

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1 Vita Edw., ii, 167; Trokelowe, p.64; Harl. Ms. 636, loc. cit.

2 P.19.

3 P.14.

4 V. infra, p.163, note 1.

5 The general attitude of the chroniclers is to decry Gavaston's antecedents (Vita Edw., ii, 115; Flores Hist., iii, 139; Ann. Worcester, p.560), though only the St Paul's annalist goes so far as to allege that he had sprung de pulvere and de stercore (p.258).

6 Gabaston, dép. Béarn, arr. Pau, cant. Morlaas. I have adopted the spelling 'Gavaston' in preference to 'Gaveston' as the former is nearer to his proper name. Contemporary spellings are 'Gauston' (Exch. K.R. Accts 6/37, m.1), 'Cabersten' (Hemingburgh, ii, 271), 'Gauirstoun' (Scalacronica, p.131), 'Gaviston' and 'Gavistoun' (Knighton, p.408), 'Gavellestone' (Ann. Worcester, p. 560), 'Gaweston' (C. Inq. p. m., vii,483), and even 'Caulston' (ibid., vii,557).

7 Pp.8-21.

Marca's Histoire de Béarn.[1] He left many gaps, in some cases mis-read personal names and made no effort to identify place-names. The present account is based partly on his sketch, partly on the Histoire de Béarn, freshly consulted, and partly on additional material. From the earliest mention yet discovered of the family in 1040, to the middle of the thirteenth century, data for reconstructing the history of the family are scanty and scattered. The main points are as follow.

In 1040, a gift of three churches was made by a certain Garsie Arnold of Gavaston, his son, Arnold, and other nobles of Béarn, to the chapter of Lescar.[2] For the next twenty years or so nothing is to be found concerning the family. Then one, Raymond Garsie of Gavaston, appears as a guarantor for one of the parties to a duel, and as a witness.[3] This is presumably the same Raymond Garsie who, in 1072 or thereabouts, is mentioned with his wife, Esquine, his son, Garsie, and his grand-son, also a Raymond Garsie, as handing over a church to the Bishop of Lescar in exchange for a loan.[4] About the same time, he was among the witnesses to a charter,[5] whilst later, in 1096, he was present at the dedication of the church of the Benedictine monastery of St Pierre de Générest.[6]

We do not hear that Raymond Garsie was present when, in 1102, it is recorded that on 6 April, his son, Garsie, together with his son, another Garsie, witnessed Gaston of Béarn's gift

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1 (1640).
2 Dodge, pp.9-10; Marca, p.382.
3 Marca, p.450.
4 Ibid., pp.383-4.
5 Ibid., pp.382,384.
6 Ibid., pp.356-7.

to the Cathedral Church of Lescar, of the toll which he took from the bridge over the Gave.[1] In 1114, however, a Raymond Garsie witnessed a charter of Gaston of Béarn.[2] This can hardly have been Raymond Garsie 1, already old enough in 1072 to have a grandson, but is more probably that grandson himself, whom we may call Raymond Garsie 11. Between 1115 and 1122, Raymond Garsie 11 witnessed an agreement between the monastery of Gabas and the church of Lescar,[3] whilst about 1134, he was one of five hostages given to the Count of Bigorre by the Viscountess of Béarn as a guarantee of assistance in a dispute about land.[4] In 1150, he is found witnessing a charter,[5] and in 1154, he was amongst the prelates and nobles of Béarn, who assembled at Canfranc in Aragon to do homage to Raymond, Count of Barcelona, electing him as their lord and governor, but reserving their fealty to the children of Pierre, the late Viscount of Béarn.[6]

For sixty-six years after this I have been unable to find any reference to the doings of the family. Then in 1220, the lord of Gabaston was made one of the twelve jurats of the Great Court of Béarn.[7] This office was hereditary, and carried

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1 Ibid., pp.374, 376.

2 Ibid., pp. 403, 405.

3 Ibid.,pp. 427-8. The monastery of Gabas was a recent foundation. The actual builder was William the Prior, the Béarnais bishop of Pamplona, though Gaston V of Béarn (1154-70) provided the funds. It was situated in that pass of the Pyrenees which led to Aragon. (Marca, p.427.)

4 Ibid., p.817.

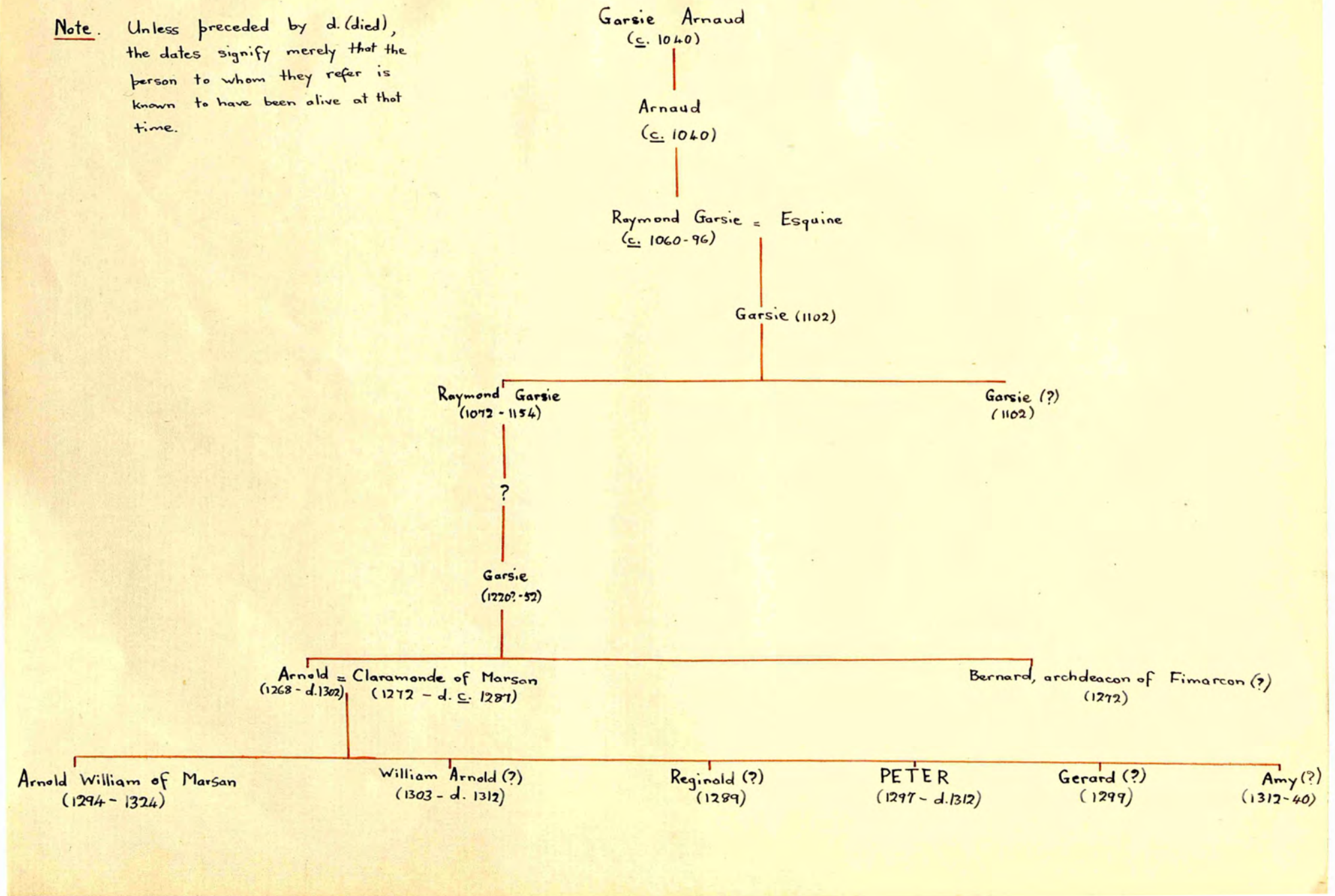
5 Ibid., p.442.

6 Ibid., pp.464-5; Gallia Christiana,i,1269A; Dodge, p.10.

7 Marca, pp.537, 539.

THE GAVASTON FAMILY

Note. Unless preceded by d. (died), the dates signify merely that the person to whom they refer is known to have been alive at that time.



with it the sovereign right and authority to assist the Viscount in judging and determining in respect of all civil disputes and dissensions which might arise, even should they happen to be between him and his subjects. Before long, these jurats were known by the title of 'baron', Gavaston being eighth in order of precedence. Finally, in 1252, a Garsie of Gavaston was one of fifteen guarantors for the good faith of Gaston of Béarn, in the matter of the marriage of his son to the daughter of the Count of Foix.[1]

None of the Gavastons to whom references have been found, was specifically described as lord of Gabaston. It is clear, however, that by the thirteenth century at any rate, they were in the front ranks of Béarnais society, and, in view of the contexts in the cases quoted, coupled with the absence of any negative evidence, it seems justifiable to conclude that they were lords of Gabaston, handing on their territory in direct line, from the Garsie Arnold of c. 1040 to the Garsie of 1252. The main relationships, so far as they can be determined by the meagre data available for this earlier period, have been set out in the upper portion of the accompanying table.

Firmer ground is reached with the appearance of Arnold of Gavaston[2] in 1269, as a jurat of the court of Béarn.[3] From

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1 Ibid., p.777.

2 Presumably the same who came to England in 1297, and therefore Peter's father.

3 When he rendered homage and fealty on the occasion of the marriage of Henry of Almaine to Constance, daughter of Gaston VII of Béarn. (Inventaire-sommaire des archives des Basses-Pyrénées antérieures à 1790, éd. P. Raymond, iv, 72, no.E290. Dodge (p.15) wrongly gived the year of the marriage as 1268.)

this point onwards to the days of Peter of Gavaston, evidence and detail of the family's doings are more abundant. Moreover, the fortunes of the family now took a new turn. Hitherto their activities seem to have been confined to the politics of Béarn and Navarre, but with the appearance of Arnold, the family's aims became wider and it became closely associated with the fortunes of the English crown in Gascony.[1]

Why Arnold should have taken this line is not clear. Perhaps the choice did not lie with him. It has already been mentioned that Béarn, though geographically Gascon, was politically independent, or claimed to be so.[2] Hence, though Gaston Vll (1229-90) did homage to Edward 1 for his outlying possessions in Gascony, an exception was made of Béarn itself, within the borders of which the Viscount was his own master. In these circumstances, there was nothing to induce his subjects to interest themselves in Gascon affairs, unless it were to stir up trouble for the English king.[3] In the history of Gascony, Béarn had frequently been the breeding-ground of discontent and disturbance, and Gaston Vll carried on the tradition of his family by being loyal to England only when it suited him. In 1247, for example, he did not scruple to stir up revolt. On this occasion

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1 Arnold still retained his Béarnais interests. In October, 1275, he appeared as a witness in court (Recueil d'actes relatifs à l'administration des rois d'Angleterre en Guyenne au xiiième siècle, éd. Ch. Bémont (1914), p.482), and in November, 1289, he witnessed an agreement between Jordan de l'Isle and the Seneschal, Jean de Greilly (R.G.ii, 1494).

2 V. supra, p. 30.

3 For the politics of Gascony and Béarn in the thirteenth and fourteenth centuries, v. E.C.Lodge, Gascony under English Rule, (1926), passim. Bémont (R.G. iii, pp. cxxiv-cxlxxii) gives a detailed account of the war from 1293 to 1297.

he was defeated by the Seneschal, Simon de Montfort, and sent to England, where Henry lll rashly pardoned him. Gaston, on his return home, immediately headed a new rising, but was again suppressed by Simon. When Henry paid his second visit to Gascony in 1253, he tried to secure Gaston's loyalty by restoring to him the castles which had been taken from him during the war. But the young Edward considered him so untrustworthy an ally that on his arrival in Gascony in 1254, he took Gaston's daughter, Mathe, as a hostage for four years. Even so, Gaston's submission was only nominal. His essential opportunism showed itself almost immediately. In 1255, the Count of Bigorre died. Gaston considered that this left his own daughter, Constance, heir to the territory, so he hurriedly got the Estates of Bigorre to recognise her and to do homage, without regard to the claims of Edward, the direct overlord.[1] This was bad enough, but in 1273 Gaston once more took up arms against his sovereign, playing Edward false after long drawn-out negotiations and finally appealing to the king of France. Once again, however, his rebellion was unsuccessful. By October, he was a prisoner in Sault castle with four knights standing as security for his oath not to leave Edward's court

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[1] Gaston's high-handed action resulted in much negotiation and dispute until Bigorre was finally handed to the English in 1360 (Lodge, op. cit., p.61).

without permission.[1] This time Gaston fulfilled his covenant, on the advice of Philip III, presented himself in England to sue for pardon and became a paid follower of the English king. His guarantors were accordingly released from their obligation on 28 April, 1279.[2]

Gaston's insubordination on this occasion has considerable bearing on the present subject, for one of his four sureties was Arnold of Gavaston. This shows that by this time the lord of Gabaston was a man of some standing, since Edward, knowing Gaston's untrustworthiness, would hardly be likely to accept guarantors who stood to lose nothing if Gaston failed to fulfil his bond: he would insist that they must be men of substance, at whose expense he could recoup himself, should Gaston turn traitor.

Hitherto the Gavastons, though not undistinguished, seem to have been neither great land-owners nor very wealthy. At the outset, Arnold seems to have been of no higher status in Béarn than his ancestors. An improved position came through his marriage with Claramonde, the lady of Marsan and Mont-

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1 Fœdera, I,ii,505; Marca, op. cit., pp.633-4; Cott. Ms. Julius E I, f.52 & cf. ff.238v., 239. The castle of Sault-de-Navailles (dép. Basses-Pyrénées, arr. and cant. Orthez) was held by Garsie Arnold of Navailles as a fief from Gaston of Béarn. Edward deprived him of it for his part in Gaston's rebellion, but restored it to him on 28 April, 1279, when Gaston was pardoned. (R.G., II,222) Navailles was the premier barony of Béarn, its lord being the premier jurat. (Marca, p.539)

2 R.G., II,236.

gaillard,[1] daughter of Arnold William of Marsan.[2] In 1273-4, Edward 1 held an inquest into his demesne property in France and into the tenures by which his immediate vassals held their land.[3] Arnold's replies show that in right of his wife, he owed homage for the castles of Roquefort de Marsan,[4] Louvigny,[5]

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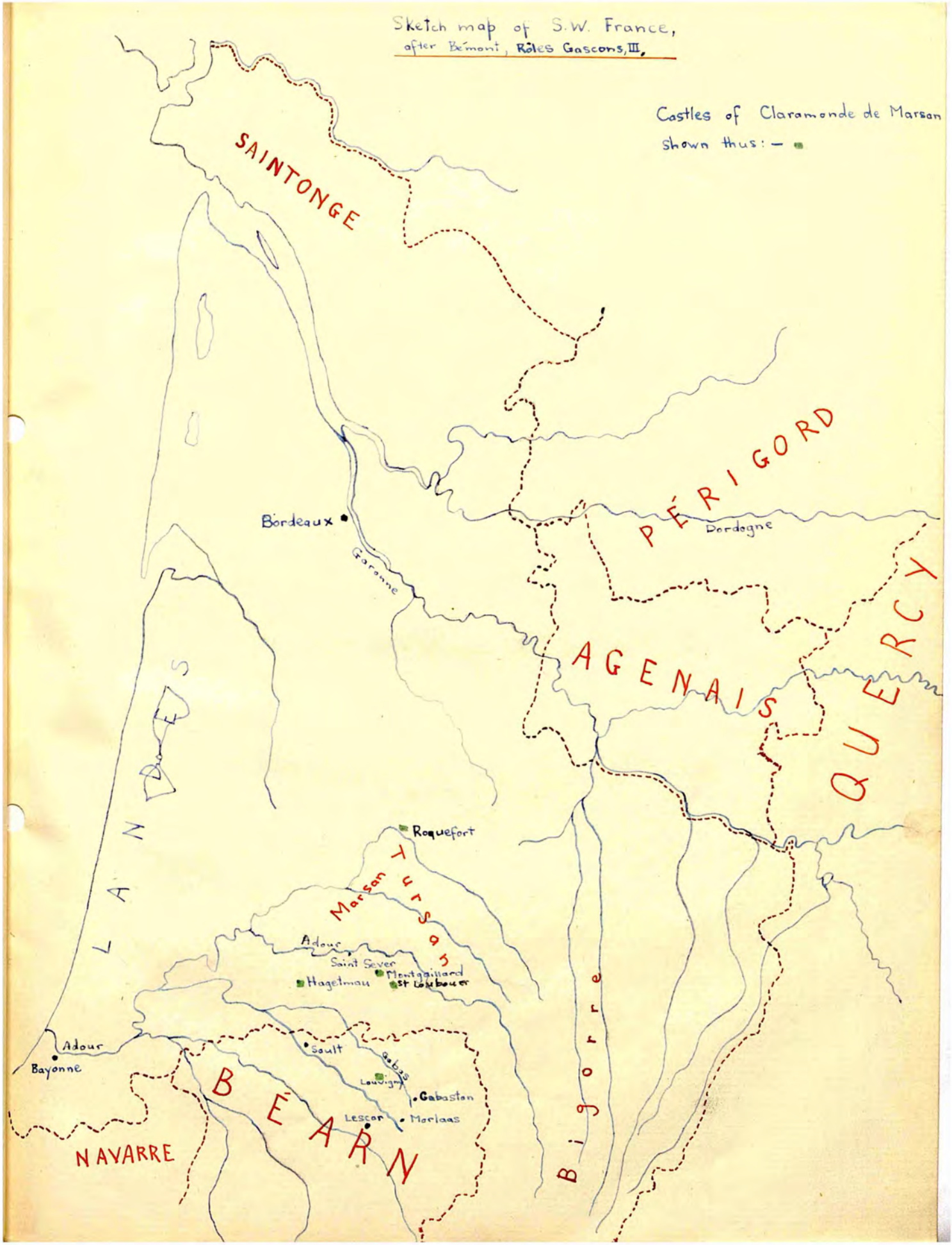
1 I have not been able to find the date of the marriage.

2 Claramonde's father, Arnold William, was dead by June, 1272 (Recueil, p.470). He seems to have been a man of considerable position. Entries relating to him appear on the Gascon Roll from May, 1242 to October, 1255. He owed the king four fully armed and mounted men, and at various times was summoned with them to Pons and Bayonne (R.G., i, 159, 1594). He was eighth on the list of those summoned to Bordeaux to do homage, and fourteenth among persons summoned to the king's court at Saint Sever to receive justice (ibid., 1594, 1606). Apparently the castle of Roquefort was in his possession, but at some time there was doubt whether he or the king ought to keep it (R.G., i, suppl., 4445). It appears from letters of 22 October, 1255, that Sault castle with its appurtenances was also ordered to be handed over to him, and he was further entrusted with the task of receiving the castle of Mauvezin in the name of the lord Edward and of handing it over to certain discreet persons to keep at the expense of the count of Bigorre (ibid., 4630, 4502). His services, for which arrears of wages were ordered to be paid him by letters dated 26 May, 1254 (R.G., i, 3245, 3246), seem to have been appreciated by the king, who, at his instance, issued letters patent to Bonecumpagnus de Murlenga in July, 1254, allowing him freely to trade throughout his domains (ibid., 3891). Finally, Arnold William was one of nine persons summoned by the king to meet at Bordeaux in October, 1254, to discuss the state of Gascony and the possibility of peace (R.G. de Lettres Closes, éd. Bémont, Bull. phil. et hist. (1856)).

3 All the king's vassals had to do homage to him in person, and declare on oath the extent and nature of their property, the character of their services and the courts of justice which they were bound to attend (Lodge, op.cit., pp.54-5 & Chap. X).

4 Roquefort de Marsan, dép. Landes, arr. and cant. Roquefort de Marsan. Ruins of the castle are still to be seen. For descriptions of all these places, v. P. Joanne, Itinéraire générale de la France ..... Les Pyrénées (1912) and ibid., Gascogne et Languedoc, etc. (1883); P. Joanne, Dictionnaire topographique de la France. For the record of Arnold's homage, v. Recueil, p.54; Arch. Hist. Gironde, v, 329.

5 Louvigny, dép. Basses-Pyrénées, arr. Orthez, cant. Arzacq. Ruins of the castle still exist.


Sketch map of S.W. France,
after Bémont, Rôles Gascons, III,
Castles of Claramonde de Marsan
shown thus: —
SAINTONGE
Bordeaux
Garonne
PÉRIGORD
Dordogne
AGENAIS
QUERCY
LANDES
Roquefort
Marsan
Tursan
Adour
Saint Sever
Montgaillard
Hagetmau
St Loubouer
Adour
Bayonne
Soult
Gabas
Louvigny
Gabaston
Lescar
Morlaas
BÉARN
NAVARRE
Bigorre

Montgaillard des Landes,[1] Hagetmau,[2] and Saint Loubouer,[3] with all their appurtenances, together with lands in Marsan,[4] Tursan,[5] 'Silvestri',[6] and Chalosse.[7] Thus, outside Béarn, Arnold would rank as a considerable land-owner, the castles alone being worth 500 livres chipotois (about £250 sterling) annually.[8] Arnold's advantageous marriage was therefore also

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1 Montgaillard des Landes, dép. Landes, arr. and cant. Saint-Sever. Nothing of the castle now remains.

2 Hagetmau, dép. Landes, arr. and cant. Hagetmau. The castle has entirely disappeared. This district was once well wooded with beeches: hence the name Mauvaise-Hétraie.

3 Saint Loubouer, dép. Landes, arr. St Sever, cant. Aire. Nothing can now be seen of the castle.

4 Marsan is situated between Albret to the north and Béarn to the south. It did not long preserve a separate existence, but became united with Bigorre. Gaston VII of Béarn claimed the county of Bigorre in right of his wife, alleging that she was the sole legitimate heir. The matter was referred to the arbitration of the Count of Foix, who decided in Gaston's favour, so in 1256, Marsan passed to Béarn.

5 Tursan may be termed the eastern portion of Chalosse. In the middle ages, under the title of viscounty, it was that part of the diocese of Aire subject to the temporal jurisdiction of the Bishop.

6 I have not been able to identify this.

7 Chalosse is a geographical, rather than a political area. It includes both Marsan and Tursan and also part of Béarn, Gabaston, for instance, being situated in its eastern portion.

8 Many currencies were in use in medieval France. In every case I shall try to give their approximate sterling equivalent. The following table will be found useful, though its accuracy can be only approximate since the values of some of these currencies were constantly changing.

the means of bringing him into Edward's service. As a small Béárnais land-owner, Arnold was free to follow Gaston of Béarn in his disloyal courses if he wished, for, Béarn being independent and autonomous, the loyalty of none of the Béarnais could be secured by threat of forfeiture. But with extensive interests in Gascony itself, Arnold was subject to the king of England and dependent on his good-will. If he wished to be con-

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8(contd.)

District	Denomination	No. to £ sterling.
Agenais	livre arnaudois (the arnaudin) Chipotois and tournois money also current.	2⅔, 2½ or 5.
Béarn	livres, sols (shillings) and deniers morlans (N.B. The livre contained only 15 sols.)	1⅕ - 1¼.
Bigorre	livre chipotois	2 in 1300 (I.R.1321 m.1); 8 in 1312; ~~XXXX~~ 5 in 1315 (P.R. 160, m.41)
Bordeaux	livre bordelais	4⅓ in 1277; 4 by fourteenth century.
Tours, etc.	livre tournois or noir	4 in 1277 & 1279.

In the compilation of this table, I have consulted Du Cange, Glossarium Novum, (1766); G. D'Avenel, Histoire de la propriété, i,37-9; Tout, Chapters, ii,6, note 2; Lodge, op. cit., p.205. A comprehensive bibliography of medieval numismatics appears in L.L.Borrelli de Serres, Variations monétaires sous Philippe le Bel, (1902), but these works deal only with the actual coins, not with moneys of account and their fluctuations in value. Those in the above table are, of course, merely a selection from the currencies used in France during the medieval period. With the exception of the monnaie parisienne, the monnaie morlanne and the monnaie tournois were the most widely used moneys of account in medieval France. The right of the viscounts of

firmed in possession of his wife's properties,[1] he must give Edward no opportunity of charging him with infidelity or with luke-warmness in the English cause. With self-interest thus pointing the way, Arnold became a loyal servant of Edward 1.

8(contd.)
Béarn to strike money of copper, silver and even gold in the fourquie at Morlaas, the capital (dép. Béarn, arr. Pau), was never contested. This right in itself is a point in favour of their claim to independence, for Louis 1X refused outright to allow his brother, Alphonse of Poitiers, count of Toulouse, to strike his own coinage. The monnaie morlanne bore the face and arms of the viscounts, their name and motto, Deo gratia sum id quod sum, and the legend Honor Furciae Morlani. From this last device, the money of Morlaas was known in Latin as moneta Furcensis. The fourquie was the name given to the palace of the viscounts of Béarn. Marca (p.310) thinks the origin of the word due to the fact that the royal house of Béarn was originally probably called Furcia. The hourquie at Morlaas is now the market square. The monnaie tournois continued to be minted until 1667, when Louis XIV abolished it.

1
Apparently Claramonde retained some property under her own administration, since she appears with nineteen other landowners as rendering homage and fealty for certain property in the Landes. (Recueil, p.171) (The Landes, of course, was the vast plain which stretched between Bordeaux and Bayonne, which at that time was uncultivated, marshy and sterile, being composed for the most part of sand-dunes on the coast and bogs inland. Its situation between two great cities gave it a political importance as great as its natural wealth was small.) Arnold acted as Claramonde's proctor, however, in respect of the settlement of the boundary disputes between her and the people and abbot of Saint Sever. (Arch. Hist. Gironde, xlv, 101) Cf. A.C. xix, no.106, for Claramonde's similar troubles with the count of Geneva and the lady Constance, daughter of Gaston of Béarn.

Arnold's connection with Edward began even before the latter became king. By an agreement dated 30 June, 1272, Arnold and his wife acknowledged their indebtedness to Edward to the extent of 20,000 sols morlans (from £800 to £833 sterling), and gave him the castle of Louvigny and its appurtenances as a guarantee of repayment.[1] The castle does not seem to have remained long in the royal possession, however. In February, 1283, the king gave orders that, as a special mark of favour, Claramonde should be allowed to rent it for 500 livres bordelais (about £115 sterling) less than its actual annual value.[2] Finally, by letters dated 8 June, 1283, Edward ordered the seneschal to restore the castle to Arnold as soon as he had paid 750 livres morlannes (about £600 to £625 sterling), the remaining 250 livres (£200 to £208 sterling) having been remitted.[3]

The Gavastons seem to have progressed in the royal favour. It was probably some time in 1282 that Claramonde petitioned the king on her own behalf, to order the seneschal of Gascony or the constable of Bordeaux to sustain her liberties against the count of Geneva and the lady Constance, daughter of Gaston of Béarn, who were trying to deprive her of them by trespassing on her rights of justice, and on behalf of her husband, that the king would favourably receive him ~~and his~~

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1 Recueil, p.470.

2 R.G. ii,641.

3 Ibid.,ii,678. The livre morlanne contained only 15 sols. Edward, however, evidently reckoned it as containing 20.

and his household and place them in his service, as he had suffered much for the king's honour, both openly and in secret.[1] This request presumably received a favourable answer, for we know that in 1282, Arnold brought over a contingent to serve in the war against Wales,[2] returning home in August, 1283.[3]

On his return to Gascony, Arnold still took a prominent part in the king's service. In October, 1283, he was one of the sixty-four hostages given by Edward 1 to Alfonso 111 of Aragon in pursuance of the promise made in the treaty of Oloron the previous year, to give such hostages as security for Edward's promised ransom of 70,000 marks sterling for Charles of Salerno, king of Naples since the death of his father, Charles of Anjou, in 1285, but a prisoner in Catalonia since 1284.[4] Later, he

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1 A.C.xix, no. 106. Geneva was the capital of the district of Genevois, to which it gave its name. In 1401, the county was bought by the dukes of Savoy.

2 Exch. K.R.Accts 3/27 is a record of the wages paid to the Gascons taking part in the Welsh expedition. In all, Arnold received payments totalling £204.0.4d. for himself, his knights, squires, horse- and foot-archers and horses. The number of his men varied, but he seems to have started with three knights, seven horse-archers and a hundred and nineteen foot. (ibid.,m.2) During his stay in England, he spent seven days out of court with his squires on the king's business. (ibid., m.3) His contingent was apparently quite separate from that sent over by Gaston of Béarn.

3 Ibid., m.3. The cost of transporting him and two other Gascon magnates from Dover to Gascony was £6.8s. Alexander le Porter was appointed to conduct Arnold's men home. (C. Chan. R. Various, p. 264.) The Gascons are described as having behaved themselves well and faithfully. In his Welsh and Scottish wars, Edward received invaluable help from Gascony. (v. J.E.Morris, The Welsh Wars of Edward 1 (1901), pp.188-9.)

4 Fœdera,1,ii,689-90; Montlezun, Hist. de la Gascogne,iii,42. Arnold nevertheless received his knight's fee of £13.6s.8d. for this year, 20 November, 1288 to 19 November, 1289. (Exch.K.R. Accts 4/24, m.2) For the treaty of Oloron, v, Fœdera,1,ii, 677-8. It was denounced by Nicholas 1V. The treaty of 1288

was probably unfortunate enough to be one of the twenty hostages promised to Philip the Fair in partial fulfillment[1] of an agreement made between the kings of England and France in the early part of 1294, for a document in Chancery Miscellanea shows that he was handed over to Philip by the orders of John of St John, the king's lieutenant in Gascony.[2] A petition which Arnold presented to Edward after his arrival in England, shows that he spent nearly three years in a French prison, eventually escaping on 13 November, 1296.[3]

Dimitresco[4] and Doran[5] have already described how Edward provided for Arnold and his two companions in flight, Raymond of Caupenne and Bertrand Povisalls, on their arrival in England. Apparently they were absolutely destitute, for £106.5s. was spent on fresh equipment and armour for them and

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4 (contd.) mentioned in the text differed from it only in details. (Tout, Political History, iii, 170)

1 The other main clause was that French garrisons should be admitted into six Gascon strongholds.

2 Chan. Misc. 26/5, m.2, printed by Bémont (R.G. iii, p.clxxxiii). John of St John was appointed king's lieutenant in Guyenne by letters dated 12 July, 1293, whilst John of Havering was still seneschal: the two quitted office on the same day, 22 March, 1294. (R.G. iii, pp.lvii, lxi, lxxxii.) John of St John, however, is referred to as seneschal on 3 July, 1294, with John of Brittany, king's lieutenant. (ibid., iii, 2935)

3 Ibid., iii, p.clxxxiii; B.M. Add. Ms. 7965, f.53v.

4 D.18.

5 The Book of the Princes of Wales, (1860), p.29.

their retinues[1] and £34.1s. on fresh horses and saddlery,[2] whilst £67 was allowed for their expenses in passing through Brabant into England.[3] In the circumstances, however, this seems the least that Edward could do. To a certain extent, the king showed himself not unmindful of the consistent and unswerving loyalty of Arnold and his family,[4] but the very nature of the royal favours shows that Arnold was in constant financial difficulties. In July, 1289, for example, Edward lent him 200 livres bordelais (about £46 sterling).[5] Then in August, he ordered the payment to him of 600 livres arnaudois (probably about £240 sterling at this time) for the marriage of his daughter.[6] Payment of this gift was apparently delayed, ~~for~~

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1 Add. Ms. 7965, f.53v. Of this £106.5s., £49.15s. went to Arnold and his knights and squires, £26 to Raymond and his company, and £10.10s. to Bertrand. The custos of the city of London was paid £47.8s.4d. as the cost of the arms and equipment which he bought for them. (ibid.,f.58v.)

2 Ibid., f.53.

3 Ibid., ff.53v,59.

4 On 18 May, 1296, Edward wrote to Arnold William of Marsan thanking him and his father, Arnold of Gavaston, for their faithful services, and promising them suitable recognition. (R.G.iii,4248)

5 Ibid.,ii,1250. Arnold was already in the king's debt, though some of this debt had been remitted. (Recueil, p.470; R.G.ii, 1250; ibid., iii,2035.) On another occasion the king pardoned Arnold the payment of a certain sum which the seneschal, Sir Luke of Thanny, had ordered that he should pay the men of Gabarret. (A.C.xi, no.33) For another debt of Arnold and Claramonde of 1 livre and 1 sol morlans (about 17s. sterling), v. Cott. Ms. Julius E1,f.167v.

6 R.G. ii,975; Dodge, p.16.

for fresh orders were given by letters of 24 May, 1291.[1] The precariousness of Arnold's financial position may be gauged by the fact that this second mandate specifically states that without such a gift either his daughter would be obliged to remain single or Arnold would have to involve himself in much expense.

In 1286 or 1287, Claramonde died. This proved a serious loss to Arnold, for on 4 February, 1287, the English king seized into his hand the castles of Louvigny, Montgaillard, St Loubouer and Hagetmau, which she had held from him, until he should be paid the debt owed him by Arnold and his late wife.[2] By letters dated 27 June, 1291, however, Edward ordered that, if, after audit, it was found that the whole debt had now been paid, the remainder of the income received from these castles should be delivered to Arnold and the executors of Claramonde's will, after a reasonable deduction had been made for the cost of the upkeep of the castles.[3] An exception to this order was made of Louvigny castle on 26 May, 1292, for Edward had discovered in the mean-time that there was not only no surplus revenue from it, but that the war had prevented its being even self-supporting. From the wording of this second letter, it seems that Arnold had tried to impose on the king.[4] Arnold seems to have been determined to recover

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1 R.G., iii, 1868.

2 Ibid., iii, p.clxxxiii.

3 Ibid., iii, [illegible] 1969.

4 Ibid., iii, 2035. The king mentions incidentally that he had forgotten that Arnold had already been acquitted of a great part of the debt for which Louvigny had been pledged to the crown, and concludes by stating that he does not wish Arnold

his late wife's possessions. He even brought a case against the king on behalf of himself, his sons and Fortaner, lord of Lescun, Claramonde's brother,[1] to obtain restitution of Claramonde's properties in Marsan. By letters dated 12 June, 1291, Edward ordered justice to be done according to the laws and customs of Saint Sever.[2] By a further mandate of 2 July, the seneschal was ordered to restore to Arnold all the revenues which had been due to him and his late wife, before the king became seised of Marsan, together with all the revenues and lands which the present holder had acquired since the king had granted them to him. Restoration of all the arms and stores which Arnold had in the castles of Louvigny, Montgaillard and Hagetmau was ordered at the same time.[3]

The renewal of hostilities between England and France, resulted in further complications. In the ordinary course of events, the king would presumably have restored all Claramonde's possessions to the executors of her will as soon as he had been repaid the debt which she and her husband had owed him. When the French overran Gascony at the outbreak of the war, however,

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4.(contd.)
or any others to profit by tales subrepciones.

1 Fortaner was co-heir with Arnold to Claramonde's property. (A.C.xxvi,no.195) The lord of Lescun (dép. Basses-Pyrénées, arr. Oloron, cant. Monein) was the third in order of precedence of the jurats of Béarn.

2 R.G.,iii,1898. Apparently all Claramonde's lands had been seized into the king's hands at her death.

3 Ibid.,iii,1967; A.C. xiii, no.75. The restoration was to be made sine strepitu judicii.

the seneschal, John of St John, was obliged to deliver the castles of Louvigny, Montgaillard, St Loubouer and Hagetmau, to the king of France. Edward soon recovered his lost territory and granted the castles in question to Arnold's brother-in-law, Fortaner of Lescun, who held them until Charles of Valois captured Saint Sever for the French in 1296. Charles gave Claramonde's lands to the count of Foix, whom he had recently defeated and who was now in alliance with him, and the count in turn re-granted them to Fortaner, on condition that he did homage and fealty for them and held them from him as lord of Béarn.[1] These castles thus passed out of Edward's control, as did also the castle of Roquefort de Marsan,[2] Claramonde's other castle, which Arnold William of Marsan, Arnold's son, delivered to the seneschal, John of St John, during his father's imprisonment, and which was lost to the French through the retreat of the English army.[3] When Arnold escaped to England, he petition-

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1 Gaston VII of Béarn died in 1290. He was succeeded by his daughter, Marguerite, who was married to Roger Bernard III, count of Foix (1265-1302). Their son became Gaston I of Foix and Béarn (1302-15).

2 This castle was held as a fief from Gaston of Béarn, though Edward of England was the overlord. Gaston was deprived of it for his insubordination in 1273, but it was restored to him in April, 1279. (R.G. ii,221) On 7 June, 1289, it is referred to as belonging to his daughter, Constance. (ibid.,ii,1700)

3 This appears from Arnold William's petition to the king on the subject. (A.C. xix, no.102), in which he states that, despite his unwillingness to hand over the castle to the seneschal, since he (Arnold William) and his father had already lost everything in the service of the king of England, besides running the risk of exile and death, he was persuaded to deliver the castle and garrison to the seneschal after the latter had sworn an oath that he and his father would be honourably provided for by the king and all their losses compensated. At the time of this petition, Arnold of Gavaston was still in prison in France, for Arnold William not only prayed the king to ful-

ed the king that Fortaner's undue occupation of the castles of Louvigny, Montgaillard, St Loubouer and Hagetmau, should not count to the prejudice of himself and his heirs,[1] and Edward, in letters dated 6 May, 1297, gave orders to the earl of Lincoln, his lieutenant in Gascony, to return these castles, in the state in which they had been on the day on which Arnold had been handed over to Philip, to the person who had then held them, unless, after consultation with his council, it seemed advisable to make some other arrangement while Gascony was in a state of war.[2] When Fortaner heard this, he realised that he could not hold all four castles against the English army, so, leaving Louvigny, the strongest, with the count of Foix, at the count's request, he went to the earl of Lincoln and undertook to deliver the other three castles to him. His change of front was due solely to his desire to keep the castles, for he thought the English better able to defend them than the count of Foix, and was therefore purely nominal. Thus, whilst pretending to leave the count's service, he was really still bound to him, since he would not only render neither homage nor fealty to the king's lieutenant for the castles of Montgaillard, Saint Loubouer and Hagetmau, but also continually

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3 (contd.) fil the seneschal's oath as regards compensation, but also to notify Arnold of the arrangement. Roquefort castle was also granted by the French to the count of Foix. (A.C. xxvi, no.195)

1 Arnold's petition on the subject, preserved in Chan. Misc. 26/5, m.1, is printed by Bémont in an appendix to his Introduction to R.G. iii (p.clxxxiii). A.C. xxvi, no.195 is a letter from Arnold to the chancellor in the same vein. It is from the latter that much of the information in the text is taken.

2 R.G., iii, 4472.

postponed their delivery to the English king. In 1300 or 1301, therefore, Arnold again petitioned for the restoration of these castles to the executors of Claramonde's will in order that her bequests might be carried out,[1] but there is nothing to show that he ever succeeded in getting possession of them.[2] He received compensation for his lost lands in Gascony, however, at the rate of 200 livres chipotois (£100 sterling) annually, this amount representing half the annual value of the lands concerned.[3]

Eleven petitions survive which were presented by Arnold of Gavaston after his arrival in England,[4] In one he appealed for the payment of his knight's fee for the preceding Easter term, together with all the arrears which were due to him by reason of his inability to collect his fee during his imprisonment.[5] Edward refused his first request on the grounds that Arnold was receiving the king's wages from the time of

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1 Chan. Misc. 24/2, m.23. Only half the letter survives. The missing portion containing the actual petition, can, however, be deduced from a similar petition to the chancellor (A.C. xxvi, no.195), which, though undated, probably belongs to the same time. An account of Fortaner's double-dealing, though varying in details, is prefaced to both these petitions.

2 In 1297, Arnold petitioned Edward to hold an audit to see whether he were yet recouped for the debt owed him by Arnold and his late wife, and, if so, to restore to him Claramonde's lands. The king answered that he would do as requested in his own time and place. (R.G. iii,p.clxxxiii.)

3 This appears from an indenture recording the valuation of the various lands lost in Gascony, with a view to compensating the owners of these lands at the rate of half their yearly value. The money to pay these dispossessed Gascons was derived from the revenues of the lands and possessions of aliens, both religious and lay, which had come into the king's hand because of the French war. (Chan. Misc. 26/6. Cf. also R.G. iii,4529 (195); I.R. 1321, m.2, 105,m.5.)

4 This includes one addressed to the chancellor. (R.G.iii,

his arrival in England and it was contrary to the custom of the court to pay a fee to one who was receiving wages.[1] He shelved the second, and more important part, stating that he was ignorant of how much was due to Arnold, and had no means of finding out.[2] The state of destitution to which Arnold was reduced as the result of the war and his imprisonment, may be gathered from his plea to the king not to be offended by his many requests (he having petitioned on six separate counts on this occasion), for he had no money beyond that for which he was petitioning.[3]

Arnold's stay in England was very brief.[4] By the beginning of May, he was back in the king's service in Gascony.[5]

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4 (contd.)
pp. clxxxiii-cxlxxxiv; Chan. Misc. 24/2, m.23; Exch. K.R. Accts 13/35, m.5; A.C. xxvi, no.195.)

5 (contd.)
R.G. iii,p.clxxxiv.

1 Cf. Add.Ms. 7966A,f.78v.

2 R.G. iii,clxxxiv.

3 Ibid. A French chronicle contained in Harl. Ms. 636 notes Arnold's destitute condition thus: Si fust cum destruit par le roy de Fraunce, parceo ke ou le roy de Engleterre leaument tenu avoyt oue tut sun poer contre les francoys. Dunt cil en teu manere enpovri vint au roy Eduuard en Engleterre. (f.232)

4 During Arnold's stay in England, he and Raymond of Caupenne and Bertrand Povisalls were paid at the rate of 3s. per day, £23.8s. in all, from 10 March to 30 April, during which time they were presumably in London, with a further £1.7s. for the nine days which they spent at Plympton and an extra £2.5s. for the six days from 1 to 5 May. For further details of payments to those crossing over to Gascony, v. Add.Ms. 7965, ff.37,54, 54v,55v.)

5 Arnold received 50 marks for the cost of equipping his horses and of staying in the king's service during the war. He obviously ranked higher than Raymond or Bertrand, who received only 40 marks each. For his expenses in Gascony from the time of his arrival to the day on which he was taken into the king's pay, Arnold received 10 marks (£6.13s.4d.), the other two

On 28 April, 1297, the king asked Diego Lopez of Haro, lord of Biscay, to allow Arnold free entry and egress for the purchase of horses for the war in Gascony.[1]

Arnold was not alone in suffering hardship on the king's behalf; his whole family probably suffered with him. His son, Arnold William of Marsan the younger, in particular, seems to have been a heavy loser, for, as has already been mentioned,[2] during the time of his father's imprisonment, he was induced to hand over his castle of Roquefort de Marsan to John of St John, the king's lieutenant in Gascony,[3] and Amanieu d'Albret.[4] In May, 1297, therefore, the king ordered the earl of Lincoln to receive kindly any of Arnold's relatives or friends who wished to enter the royal service and to provide for them according to their stations.[5] The mandate further provided for the restoration to Arnold, if Lincoln thought fit, of any of his former companions who might already be in the royal service and so

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5 (contd.) receiving £5 each. (ibid., f.54v.)

1 R.G. iii,4468. Arnold had petitioned the king for money with which to buy horses. (ibid., p.clxxxiii)

2 V. supra, p.47.

3 For John of St John, v. supra, p.43.

4 A.C. xix, no.102; xxvi, no.195. Both these letters are undated. Compensation for his lost lands in Gascony was allowed Arnold William at the rate of 50 livres chipotois (£25 sterling) annually. (I.R. 1321, m.2.) In 1298, however, Roquefort was committed to the charge of his father. (v. infra, p.64.) Restoration of the castle to Arnold William was seemingly ordered by letters of 30 October, 1304. (R.G. iii,4618) Arnold William was apparently closely associated with his father, who on one occasion sent him to the king with a verbal message. (A.C. xviii, no.6.)

5 Later, in October, 1299, Edward promised to have special regard to Arnold's own interests. (R.G. iii,4535.)

separated from him.[1]

It is not certain how many of the Gavaston family or of their connections took advantage of this offer in Gascony, or how many accompanied Arnold to England. Arnold William of Marsan remained in Gascony until 1301,[2] when he probably came to England with his father, this being the latter's third and final visit. During his father's imprisonment, Arnold William served the English king faithfully and well. It was he who relieved Saint Sever in April, 1296, and held it against the French until the following July, when he capitulated on honourable terms.[3] William Arnold, apparently Arnold's bastard son, does not appear in English records until after his father's death.[4] Possibly, however, their younger brother, Peter, accompanied their father in his flight to England. If not, he must have come to England very shortly afterwards, for he served during the Scottish expedition of 1298.[5] There was also a Gerard, one of Arnold's yeomen, who came to England at this time,

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1 Ibid., iii,4476. Arnold's two petitions on this subject are printed by Bémont. (ibid.,iii,pp.clxxxiii-clxxxiv.)

2 He first appears in English records as his father's yeoman during the Scottish campaign of 1301. (Cal. Doc. Scot.,ii,no.1190)

3 R.G. iii,4248 and note.

4 He seems to be identifiable with the Arnold William, who first appears as a socius of Arnold William of Marsan, in July,1303. (Exch. K.R. Accts 612/11, m.6.) As socius to Arnold William, he is more likely to have been his brother than his uncle.

5 Cal. Doc. Scot., iii,259.

but he returned home in October, 1299.[1] There is no evidence that the other two Gavastons, Bernard[2] and Reginald,[3] whose relationship to the other members of the family remains unknown, ever came to England.

It is worthy of note that Arnold's marriage with Claramonde connected him with the important Bordeaux family of the Calhaus, for his wife's sister, Miramonde, was married to Peter Calhau of Rue Neuve,[4] so-called because, though the Calhaus owned considerable property in Bordeaux, their most important house was in the Rue Neuve.[5] The family connections of the Calhaus are complex, and have not hitherto been fully disentangled by English writers. An attempt will therefore now be made to follow Professor Tout's suggestion and try to work out Peter of Gavaston's connection with "both the urban arist-

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1 He received £2 from the king towards the expenses of his journey. (Exch. K.R. Accts 356/9, m.5.)

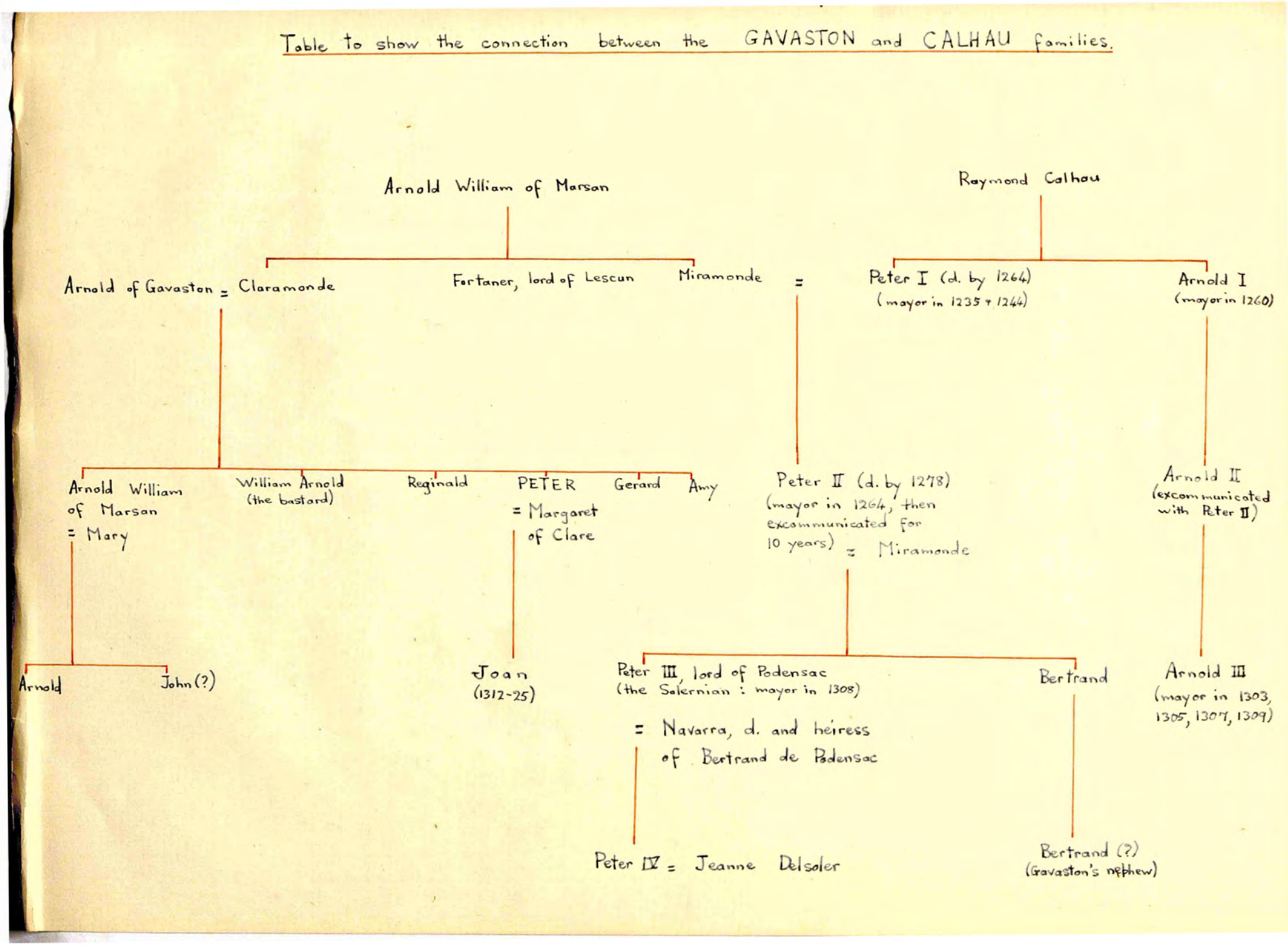
2 One of the witnesses to the agreement of 30 June, 1272, whereby Arnold and Claramonde delivered Louvigny castle to Edward as security for a loan. He was archdeacon of Fimarcon. (Recueil, p.470)

3 He appears as a surety on 9 June, 1289. (R.G. ii, 1707.)

4 Tout, Place of Edward II, p.12, note 1.

5 Archives Municipales de Bordeaux, tome complémentaire, pp.443-4. The head of the family seems always to have been designated as 'of Rue Neuve.' His house was situated not far from the gate which led to the palace of the Ombrière, and which is now known as the porte de Cailhau.

Table to show the connection between the GAVASTON and CALHAU families.



ocracy of Bordeaux and the territorial houses of Gascony and Béarn."[1]

During Henry lll's reign, Peter Calhau of Rue Neuve, Arnold of Gavaston's brother-in-law, and his brother, Arnold[2] (who may conveniently be termed henceforth Peter 1 and Arnold 1), were the two most important members of the family. They played an important part, both in trade and finance and also in politics. As merchants, they frequently supplied the king with wine[3] and money,[4] and sometimes stood surety for him.[5] In return the king granted them various favours.[6] Both brothers

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1 Tout, Place of Edward ll, p.12, note 1.

2 I have here relied largely for guidance upon Bémont's valuable article on "Les Institutions Municipales de Bordeaux au Moyen Age" (Rev. Hist. cxxiii, pp.1-53; 253-293), cited by Tout, Place of Edward ll, p.12, note 1. I have not discovered with certainty the name of the father of Arnold 1 and Peter 1. An Arnold Calhau, who presented the young Edward with an emerald cup on 12 December, 1261, however, is described as the son of Peter and the grand-son of Raymond the elder, from which I infer that Peter 1's father was this Raymond. (Recueil, p.424.)

3 Arnold supplied the king with wine in 1242, 1254 and 1255. (R.G. i, 850, 4160; ibid., suppl. 4401.) In 1243, the king owed the brothers jointly £270 as the price of 302 tuns of wine, whilst a further £450 was owing to them and two other merchants. (ibid., i, 1677, 1466.) Peter Calhau twice in 1253 had dealings with the king in respect of wine. (ibid., i, 2654, 2743.)

4 R.G. i,895,1095,4302,4160; suppl. to i,4105,4339,4477,4519; Arch. Hist. Gironde, iv,37.

5 R.G. i,698,750,2149,2425; suppl. to i,4334,4372; R.G. de lettres closes, 27.

6 For their relations with the king, v. R.G. i,2651,2658,2660, 2076,3840,4103,4107,2147; suppl. to i,4658,4477,4519; R.G. de lettres closes, 146; Arch. Hist. Gironde, iv, 19.

were prominent in the politics of Bordeaux, but Peter was by far the more important.[1] He was mayor twice, in 1235 and 1244, and with Raymond Colom headed at that date the famous Colombine faction:[2] the Delsoler party was headed by Rostand Delsoler. The bitter struggles between the rival parties of which the history of thirteenth-century Bordeaux seems mainly composed, have been worked out in detail by Marsh.[3] It will therefore suffice to say here that during Peter's first tenure of the mayoralty, the supporters of the Coloms, under his leadership, organised a riot in the city, drove out the king's officials and even ordered the town of Sainte Baseille to join the revolt. This violence caused a reaction in favour of the rival party, who retained the mayoralty till 1243. During 1244, Peter's second tenure of office, there was little violence, but from that time the supporters of the Coloms began a concerted drive against their opponents. This culminated in 1249, when Raymond Colom and Peter Calhau engineered a riot and cunningly threw the blame for the disturbance on the Delsoler party. By 1260, however, when Peter l's brother, Arnold, became mayor, Bordeaux was comparatively peaceful and quiet. It is interesting to note that Marsh takes the view that the followers of the Coloms, who seem all to have been actively engaged in the wine trade with

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1 Peter seems to have kept up his commercial activities to a certain extent. (v. R.G. i, 1098,3745; Inventaire sommaire, Gironde, G1030.)

2 Bémont, Rev. Hist. cxxiii, 25.

3 F.B.Marsh, English Rule in Gascony, 1199-1259, pp.59-149, passim.

England, were supported by the Seneschal and the English government against the party of ~~Raymond~~ Rostand Delsoler, which had abandoned the wine trade and become feudal land-owners. He thinks it more than probable, too, that the coincidence of the accession to power of the Colom faction in 1243 with Henry III's visit to Gascony, was the direct result of the king's indebtedness to the merchant party and his consequent machinations on their behalf.[1]

Despite the fact that Arnold of Gavaston and Peter Calhau 1 were connected by marriage, Arnold seems to have had nothing to do with the brothers Calhau. Nor does he seem to have come much into contact with the cousins in the next generation, Peter II, son of Peter 1, and Arnold II, son of Arnold 1.[2]

The younger Peter did not long survive his father. He was mayor in 1264, and seems to have kept up the family feud against Rostand Delsoler.[3] Much of his time, however, seems to have been spent in quarelling with the chapter of the collegiate church of Saint-Seurin.[4] Bémont has traced the story of how he and his cousin Arnold were excommunicated in June, 1264, and their goods put under an interdict, yet how they were seemingly perfectly indifferent to the church's censure.[5] The sentence was eventually removed on 10 April, 1278, shortly before Peter's

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1 Op.cit., pp.93-8, 119-22, 127.

2 R.G. iii,3392,note.

3 Arch. Hist. Gironde, xv, 172.

4 Formerly known as the church of St Etienne, this church had been the cathedral of Bordeaux before the twelfth century.

5 Rev. Hist., cxxiii,25,262.

death.[1] The only possible trace to be found of any connection between Peter 11 and his uncle by marriage, Arnold of Gavaston, is that in June, 1272, a Peter Calhau was a witness to an agreement between Arnold and Claramonde on the one hand and Edward of England on the other.[2] This may, however, be the same Peter who appears as witness to a deed in August, 1281, when Peter 11 was dead and Peter 111 still a boy.[3]

Peter Calhau 11 left two sons, Peter 111 and Bertrand, who were minors at the time of their father's death, and who were put under the guardianship of Elie Vigier of Saint-Pierre, one of the executors of their father's will,[4] and Pierre de Leyric, knight.[5] In 1289, the two brothers secured by petition the restitution to them of the castle of Blanquefort at an

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1 Peter 11's wife was also a Miramonde. No details appear about her except that in 1289 she remarried, her second husband being Sanche Du Mirail of La Réole. (R.G. iii,4669(4), note 6; Arch. Hist. Gironde, xv,180-1.)

2 Recueil, p.470.

3 C.Cl.R.1279-88, p.127. Evidence of Peter 11's activities is very meagre. He is mentioned as a citizen and burgess of Bordeaux in November, 1266, and as a witness in 1272 and 1273. (Arch. Hist. Gironde, iii,8,18,19.) It may also have been he who was sub-provost of Bayonne during the seneschalcy of Luke of Thanny, i.e. during the period from June, 1272 to January, 1278. (R.G.,ii,1438)

4 Ibid.,iii,4669(4), note. The principal executor of Peter's will was M. Jean de Forgeta, canon of Agen and archdeacon of Brulhois. (Arch. Hist. Gironde, xv,180) Peter, when absent in June, 1274, had left Elie as his attorney against Hugh of Castillon. (ibid., xv, 171.)

5 Ibid., pp.173-4. The children are mentioned as under their guardianship as early as 2 February,1280 (ibid.). They were still under Elie's guardianship in 1293. (R.G.,iii,4669(4),note)

annual rent.[1] They were not so successful, however, in a request to be absolved from paying the customs due on their wines, on the grounds that this privilege had been granted their father.[2] Peter's name appears among those Gascons whom Edward I informed of the outbreak of war with France and summoned to do service, by letters dated 29 June and 12 July, 1294.[3] Apparently both he and Bertrand served loyally during the war, for they appear as the recipients of several considerable sums on this account for years afterwards.[4] By 9 February, 1295, Peter had married Navarra, daughter and heiress of Bertrand de Podensac,[5] in

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1 Arch. Hist. Gironde, xiii,379; R.G.,ii,1545; A.P. 283/14106.

2 R.G.,iii,2027. The king rejected the petition, as they were not alive at the time when the privilege was granted their father.

3 R.G.,iii,3382(111); Fœdera,I,ii,807. By this time Peter was a jurat of Bordeaux. (Arch. Hist. Gironde, xxxiv, 218.)

4 Peter and Bertrand appear in royal letters dated 26 November, 1304, granting rewards for service to various Gascons, as the recipients respectively of 1,000 and 500 livres chipotois (about £250 and £125 sterling), and in a similar list dated 4 April, 1305. (R.G.,iii,4669,4933(29,64).) Then on 6 April, 1305, payment of two sums of £35.1s.8d. and £38.4s.8d. was ordered to be made to Peter for his expenses and those of his company during the war. (ibid.,iii,4923(149), 4967(22).) Peter and Bertrand were further paid £5 each at Westminster during the same month. (Exch. K.R. Accts 12/39, m.1) Cf. also R.G.,iii,4796.

5 Ibid.,iii,3382(111), note. He married soon after he came of age. There is no lack of evidence of this marriage. (Arch. Hist. Gironde,ii,161-3; vii,163; xv,191; xxvi,320-37.) Bémont (Rev. Hist.,cxxiii,262) was mistaken in saying that Navarra was the wife of Peter II and therefore mother of Peter III. The clearest contemporary explanation of the family's ramifications is contained in the will of Peter IV, son of Peter III (Arch. Hist. Gironde, vii, 163), which Bémont [illegible]. [illegible] (R.G. suppl. to i,157) wrongly refers to as the will of Peter I.

right of whom he became lord of Podensac after the death of his father-in-law.[1] In 1303, Peter was constable of Bordeaux,[2] whilst the following year, Bertrand was mayor and Peter, sub-mayor.[3] Then in 1305, Peter, with ten squires, appears in the list of those who helped the seneschal, John of Havering, to quell the widespread disorder in Gascony, by show of force.[4] It was perhaps a son of this Bertrand, who, having the same name as his father, married a niece of Peter of Gavaston, and thus appears in English records as Gavaston's nephew.[5] In any

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1 His eldest son then became known as Peter Calhau of Rue Neuve.

2 R.G., iii, pp.xcv, cii.

3 Arch. Hist. Gironde, xxiv, 344.

4 R.G., iii, p.clxcv.

5 Professor Tout came rightly to the conclusion that the Bertrand Calhau, nephew of Peter of Gavaston, who makes frequent appearance in the records, could not be the brother of Peter Calhau lll, as he had first supposed (Place of Edward ll, 1st ed., p.13, note 1; cf. 2nd ed., p.12, note 1), for there is ample evidence for the activities of both. Whilst one Bertrand was aiding his brother, Peter lll, in heading disturbances in Bordeaux, the other was engaged in diplomatic missions for Edward ll and the Pope. (v. infra, pp.165,278,345) It may be Bertrand, Gavaston's nephew, who acted in a financial capacity for Bertrand de Podensac on two occasions. (Arch. Hist. Gironde, xv, 189-90.)

case, there is no trace of any connection between this other Bertrand[1] and Arnold of Gavaston, during whose lifetime he apparently remained in Gascony. His first appearance in English records is on 25 June, 1307, when he acted as the agent through whom the sum of £20 was paid to Gavaston during the latter's exile in Ponthieu.[2]

During the later years of Edward I's reign and the early years of his successor's, it was not Peter III and Bertrand who were the most important members of the family, but an Arnold Calhau, whom we may call Arnold III, as he was probably the son of the Arnold who had been excommunicated at the same time as his cousin, Peter II.[3] Though asked by the king to help in the recovery of Gascony in July, 1294,[4] he seems at first, as seneschal of Saintonge, to have hindered the English preparations for defence, if his surreptitious removal of the salt which Arnold of Gavaston had stored in Saintes castle in 1297[5] or thereabouts, can be taken as typical. Afterwards, however, he seems to have been consistently loyal to English interests. As mayor of Bordeaux in 1303-4, he led the revolt by which the town managed to throw off the French yoke.[6] He also lent money to his successor and to the jurats of Bor-

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1 He may, of course, have been the son of the Bertrand who is mentioned as dead in June, 1279 (R.G., ii, 313.).

2 Exch. K.R. Accts 369/16, f.13v.

3 V. supra, p.56.

4 Fœdera, I, ii, 807. He was at the same time thanked for his loyal service. In this year he is also mentioned as procureur-syndic of Bordeaux. (Arch. Hist. Gironde, xxxiv, 218)

5 Fœdera, II, i, 351. This is the only evidence that Arnold Calhau was seneschal of Saintonge at this time.

deaux.[1] He was appointed mayor a second time on 1 April, 1305,[2] and was later excused from rendering an account of the revenues and dues which he had received whilst holding that office.[3] Arnold Calhau was only a very distant relation of Arnold of Gavaston, and they probably had nothing to do with each other.

Arnold of Gavaston seems to have been resposible for the introduction into England of certain of the less notable members of the Calhau family.[4] These may have included Peter

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6 (contd.)
Bémont has shown this from a petition of Elie Souciprède, sergeant of the king of France, presented to the Parlement of Paris in 1317, which charges Arnold with having engineered the revolt. (Rev. Hist., cxxiii, 258.) For Arnold's mayoralty, v. ibid., p.261. The établissements of Bordeaux were published during his term of office, on 31 January, 1304. (Arch. Mun. Bordeaux, v, 183-5, 587-9, 618.) Edward, in October, 1304, ordered the seneschal to appoint Arnold of Garsac, apparently a protégé of Calhau, to the office of clerk of the audience in Bordeaux castle, if suitable. (R.G., iii, 4628)

1 Ibid., iii, 4606.

2 Ibid., iii, 4876, 4815; A.C. xii, no.56. Cf. also Arch. Hist. Gironde, vi, 214; ii, 163. Bémont relates how on 28 March, 1305, Arnold, with the then mayor, was ordered to render account of his mayoralty at Westminster, from the time when Bordeaux returned to the royal obedience. (Rev. Hist., cxxiii, 261.) Then came his appointment as mayor in April and the investigation was postponed. Finally, on 1 October, his appearance at Westminster in connection with the account of the late constable of Bordeaux, which was presumably connected with his own summons earlier in the year, was postponed from 1 December, 1305 to 24 April, 1306. (R.G., iii, 5005)

3 Ibid., iii, 5011. By letters dated 4 April, 1305, the seneschal had already been ordered to pay him 1,500 livres chipotois (about £300 sterling), which had been allowed him for his good service. (ibid., iii, 4669, 4934(25).)

4 The Calhau family seems to have been very extensive. In addition to those mentioned in the text, there were also a Bartholomew, a Bernard, a Bertrand, an Arnold, a John and a Peter Calhau, but it is impossible to work out their relationship to the other members of the family or to each other. (Recueil, pp.396, 424, 429, 445, 519; R.G., ii, 486; Arch. Hist. Gironde, xviii, 62; In. som. Gironde, G.1140, 2872.) Of these, only Bernard

Calhau of Rignac and Hugh Calhau,[1] to whom the king undertook to pay a yearly income of 75 and 30 livres chipotois respectively (£37.10s. and £15 sterling), these amounts representing half the annual value of their lost lands in Gascony.[2] Whether or not Peter and Hugh ever came to England, they were certainly in Gascony by 1305.[3] A Franciscan friar, named Peter Calhau, who seems to have made his first appearance in England in 1297, accompanied Edward to Gascony again the same year, receiving 6d. per day during the nine days he spent at Plympton before

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4 (contd.) seems to have served Edward in Gascony: he received an annual allowance of 10 livres chipotois (£5) for his confiscated lands. (I.R. 1321,m.2, 105,m.6; cf. R.G.,iii,4923 (45),4927(11) for payment of £68 to him for his expenses during the war in Gascony; Exch. K.R. Accts 126/29, for his debts to London merchants.)

1 It was probably this Hugh who is mentioned in June, 1292, as having engaged in a duel with a citizen of Bordeaux. (R.G.iii, 2037,2055,2060. Cf. also 2064.)

2 Chan. Misc. 26/6. Payments in accordance with this indenture were made on 25 August, 1299 and at Easter and Michaelmas, 1300. (R.G.,iii,4529(56,278); I.R. 1321,m.1, 105,m.4.)

3 Payment of 1,000 livres chipotois (about £200 sterling) to Peter was ordered by letters of 4 April, 1305, for his good and faithful service. (R.G.,iii,4934(29).) By similar letters dated 6 April, Hugh was ordered to be paid £571.6s.7d. for the expenses he had incurred during the war in Gascony. (ibid.,iii, 4923(137), 4966(6).)

the embarkation.[1] The only member of the family who definitely entered the royal service in England, was Raymond Calhau, who made his first appearance in the king's employment in 1298, when he and a companion received £6.14s. as their wages from 24 June to 29 August.[2] On 27 December, 1300, he was admitted as a sergeant-at-arms at the usual rate of 1s. per day,[3] with allowances for clothing,[4] and he continued to draw this at regular intervals for the rest of the reign,[5] receiving occasional grants in aid of his expenses as well.[6] He evidently occupied a position of some responsibility, for he was sometimes entrusted not only with the payment of others,[7] but also with the transport of large sums to the king's court in Scotland.[8] By the end of Edward 1's reign, the Wardrobe owed him £44.0s.9d.[9]

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1 He and his companion were sent to Edward by Edmund, earl of Cornwall. In answer to their petitions, the king promised to provide for them if they wished to remain in England. (Chan. Misc. 26/5, m.1.) On 7 March, 1297, they received a gift of 10 marks from the king, with a further £1.8s.6d. later on. (Add.Ms. 7965,ff.7,53; cf. f.55v for the payment made to them at Plympton.) On arrival in Gascony, they were commended by the king to the minister provincial of the order. (R.G.iii,4488)

2 Lib. quot., p.217.

3 Add.Ms.7966A,ff.93,93v.

4 Exch. K.R. Accts 369/11,ff.157,164. An entry in ibid., 14/21, m.4 gives him as a scutifer forinsecus in the Scottish war.

5 Cal.Doc.Scot.,ii,505; Exch. K.R. Accts 359/5,ff.3v,4, /6,f.10v; 361/13,mm.1,2d, /14,m2, /15,mm.2d,4d,5; 364/13,ff.41,71; 367/16, f.14; 368/6,f.10, /27,ff.54,54v,55,55v,56v,57; 369/11,ff.9,39, 43,157,164, /16,f.10; 370/16,ff.1,3v,4v; Add.Ms. 7966A,f.140v; 8835,ff.49,61; 35,293,ff.57,59; 37,655,f.5.

6 Exch. K.R. Accts 361/16.

7 Ibid., 369/11,f.200; Add.Ms. 35,293, f.56v.

8 In October,1306, he and two other sergeants-at-arms carried £426.9s.1d. to the court at Carlisle, and £1,000 to the court at Lanercost, their expenses on this last occasion amounting to £65.11s. (Exch.K.R.Accts 369/11,ff.9,39,43.)

9 Ibid., 357/15,f.21.

b) The Gavastons in England.

On Arnold's arrival in Gascony in May, 1297, the earl of Lincoln, the king's lieutenant there, was recruiting his strength after a disaster at Bonnut on 2 February, when the English army had been taken by surprise and had suffered considerable loss. Little of note occurred in 1297.[1] In the spring of 1298, Lincoln left for England, leaving Arnold in charge of the town and castle of Sault[2] with thirty men-at-arms and fifty foot, and of the castle of Roquefort with five men-at-arms and fifty foot.[3] Nothing is known of Arnold's administration at Roquefort, but complaints were made of his government at Sault. It was reported to Edward that Arnold and his men had killed one of the company of William Arnold of Brocas, a burgess of Sault, hanged another without trial and offered no defence or remedy against the men of the lord of Navailles, who were destroying the vines

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1 It was probably about this time that Arnold placed £3,000 worth of salt in the castle of Saintes, which he was provisioning. Arnold Calhau, who was then seneschal of Saintonge, removed it by night and was charged with the theft in 1317. (V. supra, p.60.) No exact date is given for the theft, but it is stated to have occurred 'at the beginning of the war,' i.e. of the war from 1297 to 1300, for there was no state of open warfare between England and France from 1300 to 1325. (Fœdera, II, i, 351)

2 Sault-de-Navailles, dép. Basses-Pyrénées, cant. and arr. Orthez. The ruins of the castle can still be seen. Sault was the capital of Navailles, the premier barony of Béarn. Garsie Arnold, lord of Navailles, to whom Edward had restored the castle in 1279 (v. supra, p.36), must evidently have been deprived of it again.

3 Chan. Misc. 24/2, m.23.

and properties of Sault.[1] It does not appear whether Arnold vindicated himself or not,[2] but he certainly left for England shortly afterwards. Before leaving Sault, he asked Barrau de Sescas and Master Peter Arnold of Vicq,[3] the king's lieutenants in Gascony, to view the castle and garrison. On their arrival, they committed the town to the care of the jurats and other citizens at Arnold's request, and then went to the castle, the garrison of which swore on the Gospels in their presence to defend the castle against all men.[4] From his subsequent petitions, it appears that Arnold was very hard-pressed financially at this time. He was able to leave the garrison[5] sufficient stores to last them only to 8 September, and was obliged to petition the king both for his own wages and for the expenses of the garrison.[6]

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1 R.G., iii, 4544. Garsie Arnold of Navailles seems to have been trying to gain possession of his lost property by force.

2 He referred himself to the record and inquest of the court of Sault, and Edward wrote, ordering the necessary enquiries to be made. (ibid., loc. cit.)

3 They are first referred to as the king's lieutenants on 28 February, 1301. (ibid., iii, 4556) Arnold of Gavaston seems to have been associated with Barrau de Sescas as early as 1297. (ibid., iii, p.cxci.)

4 Exch. K.R. Accts 13/35, m.6.

5 This now numbered two knights, ten squires and twenty men-at-arms (ibid.)

6 The only wages which he apparently received were those given him by Lincoln, £100 at Sault and 50 livres morlannes (about £40 sterling) at Bayonne. (Chan. Misc. 24/2, m.23.) He also petitioned for the expenses of the five men-at-arms and fifty foot whom Lincoln had left in Roquefort castle. (A.C. xix, no.102.)

Arnold arrived in England again in the early part of 1301. Apparently his original intention was to return to Gascony, for there is record of the ordering of a payment of £25 to him and his fourteen men on their return home. This entry was cancelled, however, and Arnold's name appears with fifteen other Gascons wishing to accompany Edward on the Scottish campaign of 1301.[1] Arnold seems to have spent the rest of his life in the royal service in England and Scotland. He was apparently a competent and reliable soldier. During the Scottish war he was probably in charge of a company, for his own personal retinue comprised eight yeomen[2] and from four to six squires.[3] Arnold began to receive his knight's fee again in

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1 Exch. K.R. Accts ~~357/7,m.2~~ 14/10, mm.1,2d.

2 These were his son, Arnold William of Marsan, Ferrand and Arnold de Bedos, Arnold Guillimet, Oger de Pinell', Bartholomew of Madley, Richard of London and James de Cruce. (Cal. Doc. Scot., ii, no.1190; Add.Ms. 7966A, ff.135, 139; Exch. K.R. Accts 357/7, m.2.)

3 The number seems to have varied. From 12 July to 19 November, 1301, it was six (Add.Ms. 7966A, f.83), though elsewhere (Lib. quot., pp.200-1; Exch. K.R. Accts 357/7, ff.2, 3v) it is stated that from 1 August to 3 November, 1301, the number was four. We do not know how many men there were in Arnold's company, but the common practice at this time was for bannerets (the title was a purely military one) to raise squadrons of 100 lances by contract, the captain's own troop consisting of some 30 or 40 men, and the remaining troops, under less prominent bannerets with sub-contracts, being some 10 or 15 strong. These squadrons then joined together to form a brigade, the earliest found instances of this being in 1277. The captain of a paid squadron was usually a tenant-in-chief and a man of some status. (Morris, Welsh Wars, pp.68-71) During the Welsh campaign of 1283 (v. supra, p.42 and notes 2 and 3), Arnold and the other Gascon captains had a three months' contract. (Morris, op.cit., p.189)

September, 1300,[1] and the Wardrobe accounts for the next few years show many payments of, and advances on his wages.[2] Arnold died in May, 1302, for on the 18th of that month, Edward gave an oblation of 5s.4d. for the celebration of mass in the church of the Friars Preachers at Guildford for Arnold's soul, and a further oblation of 5s.8d. for the same purpose in his own private chapel.[3] Arnold was buried in Winchester Cathedral.[4] Dodge[5] and Doran[6] cite the account of John of Swanland, who was sent to Winchester with money and two cloths of silk for the funeral, but I have been unable to find this. At

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1 Exch. K.R. Accts 357/23, m.1(2). On this occasion, Arnold received £1 on his fee and clothing. Cf. also ibid., 360/23, mm.10, 14; 359/5, f.1v, /1, m.12.

2 Cal. Doc. Scot., ii, no.1190(pp.304-5); Lib. quot., pp.200, 201; Exch. K.R. Accts 354/5, f.24; 357/7, mm.2, 3d, /21, f.21(1), /22, ff.3, 31, /23, f.13; 359/5, f.8v, /6, f.16v, 8v, /1, mm.1, 2, 3, 4, 12, /4, m.1, /8, f.1v; 360/23, mm.10, 11, 14, /24, mm.3, 6, /25, m.7; 361/12, /15, m.2; 7/12, f.4; Add.Ms. 7966A, ff.83, 160. In all, Arnold seems to have received £215.18s.5d. in this way, with a further allowance of £4 for his expenses. (Exch.K.R. Accts 359/2, m.2, 361/13, mm.1, 2d.) In 1301, however, £17.19s.7d. was still owing to him for his services in England. (ibid., 357/7, m.3d.) This amount is XXXXX recorded as still owing in the last year of the reign. (ibid., 357/15, f.13)

3 V.C.H. Surrey, ii, 114; Exch. K.R. Accts 361/15, m.2d.

4 For an account of his tomb, v. Dodge, pp.19-20, 201-8; Journal Brit. Arch. Ass. (1856), xii, 94, (1858), xv, 125.

5 P.18.

6 The Book of the Princes of Wales, p.32.

the date of Arnold's death, his accounts were still not completed, and settlement of the royal debt due to him continued for years afterwards.[1] The king's indebtedness to him on account of his services in Gascony remained outstanding until the early years of the next reign, albeit orders were given by letters dated 6 April, 1305, for the payment of £679.15s.8d. owing for Arnold's services there, together with a further £486.5s.5d. for his expenses and those of his companions and for the loss of their horses, and £446.11s.4d. arrears on account of his annual compensation for his lost lands.[2] Orders had already been given for the assignment to Arnold William of Marsan of the castle and castellanship of Gabarret, with all its appurtenances, in part payment of the debt due to his father.[3]

It is interesting to note that on 7 October, 1309, Sir Bidau de Filartiga petitioned Edward to grant him a certain castle, mentioning the fact that he had long served both the

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1 After Arnold's death, £22.5s.2d. is recorded as having been paid in settlement of his knight's fee, his clothing allowance and his expenses. (Exch. K.R. Accts 361/14, mm.4d, 5d; Add.Ms. 7966A, ff.80, 135, 139, 160.) £36.13s.4d. was also allowed him in compensation for three horses which he had lost in the Scottish campaign. (ibid., f.74v.) Arnold's social position may be gauged by the fact that one of these horses was worth £20. On one occasion the king presented one of Arnold's yeomen with a horse worth £1.14s. Arnold evidently possessed a considerable number of horses. (V. Exch. K.R. Accts 13/35, mm.1, 2, 6 for their valuation.)

2 R.G., iii, 4923(160), 4961, 4985(113). Cf. also C.P.R. 1301-7, pp.56-7, for the king's undertaking to pay the Gascons 3,000 of the 20,000 marks owing them for wages and expenses.

3 R.G., iii, 4723.

king and his father faithfully, and also Sir Arnold of Gavaston.[1] It seems, therefore, that Arnold was held in high esteem.

Arnold of Gavaston's eldest son, Arnold William of Marsan, was also a success in the royal service in England. As yeoman to his father, he served throughout the Scottish campaign of 1301, as is shown by the prests made on his wages on this account.[2] He also received a fee and a clothing allowance,[3] as well as 50 livres chipotois (£25 sterling) annually in respect of his confiscated lands in Gascony.[4] After his father's death, he seems to have entered the royal household.[5] By May, 1303, he was receiving wages as a scutifer at the rate of 1s.3d. per day.[6] He also had two scutiferi of his own,[7] perhaps the

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1 The petition was granted. (C.Ch.W.,i,300) Sir Bidau had accompanied Arnold to Wales in 1282. (Exch. K.R. Accts 3/27,m.2)

2 Add.Ms. 35293, ff.61,67v,68,68v; 17360,f.39; Exch. K.R. Accts 364/13,f.80; 366/14,m.4. Cf. also ibid., 13/34, m.30.

3 Ibid.,360/25,m.9; Add.Ms. 8835,ff.114,119.

4 I.R. 1321,m.1; Exch. K.R. Accts 12/39,m.2.

5 Ibid.,363/24, no.85; 370/28,mm.6,7.

6 Ibid.,364/13,ff.23,77v; Add.Ms. 35293,f.22v. For the year, he and his companion received £22.16s.3d.

7 Add.Ms. 8835,f.66v. The three of them received £24.3s. on 6 May,1305, for their wages from 20 November,1303 to 21 August, 1304.

socii mentioned in a document of July, 1303.[1]

Of William Arnold of Gavaston, little is known except that he was a bastard[2] and the socius of Arnold William of Marsan. Seemingly the only member of the family who was a yeoman in the household of Peter of Gavaston,[3] he was taken into the king's service on 13 August, 1311, at a wage of 1s.3d. a day.[4] The last payment to him on this account covered the period until 7 July, 1312. Altogether he received £16.13s.9d. in wages[5] with 40s. for his ~~XXXXXX~~ summer, and 40s. for his winter clothes.[6] He was dead by 14 September, for on that date 11s.6d. was spent in oblations at mass for his soul and £20 distributed to the sick poor for his intention.[7]

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1 These socii were Arnold William of Gavaston and Ferrand de Bedos. Their names occur in a roll of horses valued for the Scottish war on 28 July, 1303. (Exch. K.R. Accts 612/11, m.6; cf. ibid., 13/35, m.7.) Arnold William of Gavaston, who is probably to be identified with the William Arnold who appears later, was in the king's entourage when it came from Scotland to Durham in September, 1304. (Exch. K.R. Accts 366/17, m.29.)

2 He is sometimes referred to as 'le Bourd,' sometimes as 'Bourd de Gavaston.' (For 'bourd,' v. Meyer-Lübke, Romanisches Etymologisches Wörterbuch, p.1405.)

3 Cott.Ms. Nero C Vlll, f.86. In this capacity, he was sent by Peter as messenger to the king in June, 1312, and received 6s.8d. for his expenses. Cf. Exch. K.R. Accts 374/8, f.13v.

4 Ibid., 373/26, f.24.

5 Ibid., loc.cit. He had already received prests of £13.6s.8d. and 13s.4d. on his wages on 19 March and 5 May, 1312. (Ibid., ff.26, 74, 75v; cf. C.Cl.R. 1307-13, p.412.) In the fifth year of the reign, he and two comrades received £4.4s. for their wages and the expenses of themselves and their horses in staying in Wallingford castle for four weeks at the rate of 3s. per day. (C.Cl.R. 1307-13, p.468; P.R. 159, m.35; K.R. Mem. Roll 87, m.17.) Twice he received money gifts from the king, one of twenty marks (Cott.Ms. Nero CVlll, f.87), the other of £4 (Exch. K.R. Accts 375/8, f.27).

6 Cott.Ms. Nero C Vlll, f.112, 118.

7 Exch.K.R.Accts 375/8, f.3.

With the youngest member of the family we reach the personage round whom the present investigation centres, Peter of Gavaston. He made the most of his opportunities in England. It has commonly been assumed that Peter accompanied his father to England at the beginning of 1297, but, though one chronicler states that he accompanied his father in his flight from France,[1] there is no record to show that he came so early. It is very unlikely, however, that he would have gone out to Flanders in the king's army in August, as we know he did,[2] if he had not been in England earlier. He presumably returned with the king to England, for he was one of those members of the royal household whose horses were valued for the Scottish war in 1298.[3] By this time he was evidently a man of some substance, since, though his wages were only 1s. a day,[4] he owned a horse worth £26.13s.4d.[5]

It is not certain at what date Peter entered the young Edward's household, but he was already a member by 26 January, 1300, on which day his _garcio_, Vivian, received 2s.4d. for his winter shoes.[6] In August, Peter is referred to merely as a

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1 Harl.Ms. 636,f.232.

2 He first appears as a _scutifer_ of the king's household during the war in Flanders, receiving £4.6s. in wages from 13 August to 11 November,1297. (Add.Ms. 7965, f.76.) At this time his horse was valued at 12 marks, a fair, but not exceptional amount. (Exch. K.R. Accts 6/37,m.1.)

3 _Cal. Doc. Scot._,iii,259. On this occasion his horse was valued at only 10 marks. _Cf._ Exch. K.R. Accts 6/40,m.5.

4 _Lib.quot._,p.229. On 26 October,1300, he received a prest of £1 on his salary at Dumfries. (Exch. K.R. Accts 357/22,m.15d.)

5 _Lib.quot._,p.179.

6 Add.Ms. 7966A,f.49.

member of the household of the king's son,[1] but the following July he is mentioned as the young Edward's scutifer.[2] The reason for Peter's transfer from the king's household to that of his eldest son is not clear. The author of the Polistorie thinks it due to Peter's air of good breeding and general amiability,[3] but no other chronicler expresses an opinion. Possibly the change was the outcome of the king's desire to reward the consistent loyalty of the elder Gavaston by doing the best possible for his son. Peter's connection with the king, of course, did not cease when he joined the young Edward's household. Even after Edward became Prince of Wales in February, 1301, he was entirely dependent on his father for all supplies, and his clerks and knights were really members of the king's household who had been lent him temporarily, and who still received their robes and allowances from the king's wardrobe.[4] Hence we find the king ordering the clerk of the Great Wardrobe, by letters dated 14 December, 1302, to pay Peter and his companion at the rate of 5d. per day and to provide robes for them suited to their station as members of the king's household,[5] whilst at the same time, on 24 December,

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1 Exch. K.R. Accts 357/28, m.4.

2 Add.Ms. 7966A, f.101v. From 8 July to 19 November, 1301, he received £6.15s. in wages. (v. Exch. K.R. Accts 9/23, m.1 for the valuation of his horse, and ibid., 13/35, m.4.) He had already received £2.10s. on 14 June, of the money owing him in the Wardrobe. (ibid., 359/5, f.5v.)

3 Harl.Ms. 636, f.232.

4 Tout, Chapters, ii, 167, note 3, 175.

5 Exch. K.R. Accts 363/27, m.20. From an entry in a daily Wardrobe account, it appears that Peter's socius was William of Boudon (ibid., 357/28, m.4), usher of the Prince's Wardrobe.

1302, and on 10 January, 1303, Peter is described as the Prince's squire.[1] He was still the Prince's squire on 13 March, 1303,[2] but by the following June, he had become his socius.[3] Since the king made all the important appointments in his son's household, it is evident that he must have had a high opinion of Peter at the outset of his career.[4]

As a member of the Prince's household, Peter accompanied him on the Scottish campaign of 1303,[5] throughout which he regularly received wages[6] and allowances for clothing.[7] Fre-

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5 (contd.)
He may be the same who was later keeper of the Queen's Wardrobe.

1 When he was given £5 to take to the Prince for gambling on 24 December, 1302, and another £5 for the same purpose on 10 January, 1303, with a further £1 on 23 May. (Cal. Doc. Scot., ii, 368; Exch. K.R. Accts 361/18, m.13; 364/13, f.31v.) Cf. ibid., 369/11, f.65 and Add.Ms. 22923, f.14v, for further sums given to the Prince for dicing, £65 in all.

2 Exch. K.R. Accts 364/13, f.79.

3 Ibid., 612/11, m.4. The entry records the valuation of Gavaston's horse at £20, a considerable amount.

4 It is interesting to note that when Peter was ill at Knaresborough in November and December, 1300, 4 marks was spent by the king's gift on the purchase of medicines and other necessities for him. (Add.Ms. 7966A, f.70v.) Such gifts to ailing members of the royal household were common, however.

5 In an undated indenture, which probably refers to this campaign, of the men-at-arms who would be ready at the quinzaine of St John's day or alternately, whenever the Prince should be, Gavaston's name, bracketted with two men-at-arms, appears as thirty-third in the list of those who seront prestz, mes il prient quil soient eidez de ceo que homme leur dett en garderobe. (Exch. K.R. Accts 370/29) In the last year of the reign, the Wardrobe owed Peter £6.14s.4d. (ibid., 357/15, f.13v.)

6 Add.Ms. 35292, ff.4v, 8, 11v; Exch. K.R. Accts 371/8, m.18. Between 26 June and 16 October, 1303, he received £7.10s. in wages.

7 Exch. K.R. Accts 363/18, m.22d. On this occasion £2.0s.8d. was

quently, too, prests were made him,[1] and occasionally allowances towards his expenses.[2] On two occasions he was entrusted with the payment of others.[3] In these entries, he is most frequently referred to as the Prince's yeoman[4] or squire.[5] Once, however, he appears as the Prince's huntsman[6] and twice as a 'boy in wardship.'[7] In this last connection it is interesting to note that he was the only boy of the fifteen in wardship who had no magister, being associated instead with a socius. The argument to be drawn from this, in conjunction with the fact that he had been in the king's service as early as 1297, seems to be that by now he was too old for a master.

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7 (contd.) spent by the Prince's gift on making a haketon or padded tunic for him. Cf. also the entry in the roll of liveries (ibid., 370/26,m.2), recording the making of robes for Peter and his comrade for Christmas. Even Peter's falconer was allowed nine ells of material for clothing. (ibid.,m.4)

1 Exch. K.R. Accts 361/15, 364/14,m.5, 371/8,m.3, 612/30; Add. Ms. 35293,ff.79,79v. In all, he seems to have received £41 in prests.

2 Add.Ms. 35292,ff.15v,22v.

3 Ibid., 35293,f.78v. The two amounts totalled only 19 marks, however.

4 Exch. K.R. Accts 363/18,ff.21,22v.

5 Ibid., 364/13,f.95. There were forty-seven squires in all, Gavaston's name being third on the list, after those of William Avenel and Robert of Clavering, and before that of Gilbert of Clare.

6 In this capacity, he was sent with Edmund, another of the Prince's huntsmen, together with one bearward and one fewterer, to hunt in the forest of Salcey, the joint wage bill being 16s. 5d. (ibid., 369/11,f.124.) A bearward was a keeper of bears, a fewterer or feuterer, of dogs.

During this period, Peter presumably advanced steadily in the Prince's favour. The first notable sign of it came in July, 1304, when the Prince asked the king to be allowed to transfer to Peter his wardship of two parts of the lands late of Edmund Mortimer.[1] By this time, too, Gavaston had a household of his own.[2] A writ of October, 1306, shows him possessed of lands in Surrey, Sussex, Essex, Hertfordshire, Oxford, Berkshire, Kent, Huntingdon, Norfolk and Suffolk, but I have found no evidence to show what these lands were or how they had come into his possession.[3]

To stand high in the Prince's favour, however, was no recommendation in the king's eyes.[4] Friction between Edward and his son was of long standing, and it was only natural that

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7 (contd.)
Exch. K.R. Accts 360/17,370/26,m.2. Both lists are for 1303. In the first list, the names of ten boys appear, in the second, of fifteen. These included Robert FitzWarren de L'Isle, Thomas of Audley, John of Beaumont and Gilbert of Clare. Some of them must have been quite young. Altogether, there were about 120 persons in the Prince's household.

1 The grant was made on 29 July. (C.P.R. 1301-7,p.244; cf. C.Cl.R. 1301-7,p.176.) V. V.C.H. Herefordshire,i,366-7 for the suggestion that, with these lands in his custody, Gavaston's influence must have been felt in Herefordshire even during the lifetime of Edward 1.

2 Exch. K.R. Accts 369/11,f.79. The Prince gave him three tuns of wine towards the expenses of his household.

3 V. infra,p. 81, note 3.

4 According to Doran (op.cit.,p.99), "it was the intimacy of the relations between the prelate" (Winchelsea) "and the Prince that caused the former to be charged with the crime of treason."

Edward should seek the cause of the Prince's waywardness among his closest associates. Towards the end of his life, the king tended to view with disfavour any one who stood high in his son's confidence. He had been accustomed to treat the Wardrobes of the lesser members of the royal family as subordinate to his own,[1] and the realisation that his heir was aspiring to the headship of a rival establishment composed of men prepared to encourage his independence of his father, must have been galling in the extreme. Many unseemly disputes doubtless occurred between the king and his ministers on the one hand and the Prince and his counsellors on the other. One such dispute occurred on 14 June, 1305, as the result of certain improper words which it had been reported to the king that the Prince had used to the Treasurer, Walter Langton.[2] This quarrel between the king and his heir evidently became the talk of the day.[3] From the Prince's correspondence, it appears that the king not only cut off his supplies, but also deprived him of the

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1 V. Tout, Chapters, ii, 42.

2 The scene is reported by the Prince in a letter to the earl of Lincoln, asking him for aid and counsel. (H. Johnstone, The Letters of Edward, Prince of Wales, pp. xl, xli, 30.)

3 It is referred to in the case of William of Braose in the King's Bench plea roll for the Michaelmas term, 33 Edw. 1. (Abbreviatio Placitorum, Rec. Com., pp. 256-7)

company of his yeomen.[1] As the king became mollified, he restored nearly all his yeomen to his son, who had still, however, to petition his step-mother, Queen Margaret, and his sister, Elizabeth, countess of Holland, to intercede with the king to grant him the company of yet two more, namely Gilbert of Clare and Peter of Gavaston.[2] After the estrangement had lasted nearly six months, king and prince were reconciled, and the latter was presumably again free to surround himself with friends of his own chosing. This quarrel between Edward and his son is important as showing that the irascible old king evidently considered Gavaston as one of those chiefly responsible for setting his heir against him, for the Prince would not have sought the intercession of his step-mother and sister, if he had not known his father to be resolutely opposed to his association with Gavaston and Gilbert of Clare. It must have been common knowledge by this time that Peter's influence with the Prince was paramount. Such incidents as that recounted by

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1 The prince suffered much financial embarrassment as a result of the quarrel. Walter Reynolds, the keeper of his Wardrobe, secured a loan from an Italian merchant in answer to the Prince's petition, but two hundred marks of this was used to pay the young Edward's creditors at King's Langley. (Johnstone, op.cit., pp.xix,81,101; Doran, op.cit.,p.65.) Apparently a loan of 10,000 marks was then made to the Prince by Reynolds and others of the king's and the Prince's households, in conjunction with Amerigo dei Frescobaldi and others, who thereby incurred certain losses, which were made good to them by the payment of £1,000 in 1307 (Add.Ms. 22923,f.9v.).

2 These petitions are dated 4 and 6 August,1305. (Johnstone, op. cit.,pp.70,73, cf. also pp.114,115.)

Walter of Whitlesey, that when the Prince stayed at Peterborough abbey, he refused to accept a present of a cup worth £50 from the abbot, until a similar cup worth £40 had been given to Peter,[1] were not likely to pass without comment. It is certain, therefore, that the king not only knew of the young Edward's preference for Peter and strongly disapproved of it, but was also ready to seize the first opportunity of putting an end to it. A wiser man than Gavaston would have taken care not to provoke the old king again. But Gavaston not only seems to have made no effort to behave more warily in future, he made his separation from the Prince inevitable by his questionable conduct during the next Scottish campaign.

Edward 1 had now reached that latest stage of his long life in which his whole mind was bent upon subduing the rebellious Scots. Bruce had murdered Comyn on 10 February, 1306, and been crowned king of Scots on 25 March, and it was imperative that Edward should make every effort to retard his progress. To augment the army which he despatched northwards under Pembroke, Edward made the knighting of his son the occasion for the wholesale conferring of knighthood on all who were entitled to attain to that rank. Into this category fell Gavaston, who was accordingly knighted at the same time as the young Prince. The best account of the ceremony is given by Robert of Reading.[2] Proclamation having been made throughout

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1 Walter of Whitlesey apud J. Sparke, Historicae Anglicanae Scriptores Varii, (1723), pp.171-2.

2 Flores Hist., iii, 131-5; cf. Murimuth, p.9, Rishanger, p.230, Harl.Ms. 636, ff.230-1. Langtoft (ii, 368, 370) says that several of the nobility, the earls of Warenne and Arundel and

England by the king's orders that all candidates for knighthood would be given their knightly apparel, with the exception of their harness, out of the king's Wardrobe, two hundred and sixty-seven young men, the sons of earls, barons and knights, accordingly flocked to Westminster at Whitsun[1] and were duly furnished with purple satins and silks and heavy cloth of gold.[2] The concourse was so large that the royal palace was too small to accommodate them, so the apple trees at the New Temple had to be cut down and walls razed in order to erect pavilions and tents in which the young men could change into their finery.[3] On the eve of Whitsun, the Prince kept his vigil at the abbey church at Westminster with other outstanding candidates, on the orders of his father, whilst the others spent the night in the Temple. According to Robert of Reading, there was so much noise of trumpet-blowing and pipe-playing at Westminster,[4] not to mention the ~~noise~~ din of voices joyfully shouting, that the singing of the convent choir and the resposes were inaudible. On Whit Sunday,[5] Edward girded the Prince at the palace with the belt of knighthood, and bestowed on him the duchy of Aquitaine. After his investiture, the Prince proceeded to the church at

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2 (contd.) the younger Despenser were married on that occasion.

1 For their names, v. W.A.Shaw, The Knights of England, pp.111-22.

2 Exch. K.R. Accts 362/20; cf. 370/26,m.6. Gavaston received six measures of cloth. (ibid., 362/20,m.1.) Cf. also ibid., 368/15,m.11 for the receipt given by Walter Reynolds to Ralph of Stokes, the keeper of the Great Wardrobe, for the apparel allowed him for the new knights.

3 V. Arch. Cambrensis, xii,137 for a petition for payment for timber used in the erection of these pavilions. Cf. Exch.K.R. Accts 369/11,f.190v, 368/27,ff.24,25. Altogether, the cost

Westminster to invest his comrades. At this ceremony, the pressure of people in the church was so great that the Prince had to perform the rite, not near, but upon the High Altar, and passage through the crowd could be obtained for the candidates only by two knights on war-chargers. Even so, two knights were killed in the crush and many others fainted. After the investiture, two swans adorned with golden chains were brought before the king, who swore by them and by God to set out at once for Scotland to avenge the injuries done to Holy Church and the death of John Comyn. Following the king, the magnates took this oath in turn, swearing to follow him to Scotland during his lifetime, and his son after his death. The assembly did not disperse until 30 May, after having agreed to join the king in Scotland on 8 July. The cost of the ceremony and the festivities was defrayed out of a thirtieth which the cities and towns granted the king, and a twentieth levied from the rest of the realm, the remainder to be used for the campaign.[1]

Gavaston seems duly to have accompanied his young

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3 (contd.) of erecting the pavilions amounted to £52.7s.10½d.

4 A gift of 200 marks was made to the minstrels. (ibid., 369/11, f.96.)

5 22 May.

1 Flores Hist., iii, 135; Rishanger, p.230; L.T.R. Mem. Roll 77, m.22; K.R. Mem. Roll 79, m.40. There were naturally many expenses in connection with the ceremony. Alms-giving to the poor and gifts to minstrels cost £153.6s.8d., and the swans' finery another £83.5s.6d. Thirty-eight oxen, ninety-four sheep and thirty-four pigs were eaten. (Exch. K.R. Accts 368/26, m.4, 369/11, ff.5, 35, 52v, 79, 96, 185v.)

master to Scotland,[1] but he apparently tired of campaigning after a month or two. With twenty-one others he deserted at the beginning of October and crossed to France to tourney. The reason for this desertion, which is startlingly in contrast with Gavaston's previous military record, is unknown, but it is tempting to think that Gavaston, who later proved himself a brave and able commander, disapproved of the underhand methods which Pembroke used against the enemy at Methven and of the ruthless ravaging which followed afterwards.[2] The king was naturally furious at these wholesale desertions, and ordered the arrest of the deserters and the seizure of their lands into his hand.[3] There is nothing to indicate where Gavaston went,

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1 His black charger with three white feet, the gift of the Prince, was valued at £60 on 12 July, 1306. (ibid., 13/7, m.1) The prince also made him a present of saddlery. (Add.Ms. 22923, f.9v.)

2 Rishanger (p.230) relates that Edward had to rebuke his son for the merciless ravaging committed by him and his novi tirones, but Robert of Reading, no lover of Edward II, says nothing of this. Except for that contained in the Roll of Caerlaverock (ed. T.Wright, (1864), pp.17, 18), which, though mainly a contemporary description of the arms borne by those present at the siege of Caerlaverock, also contains brief accounts of the manner in which the leaders bore themselves, there seem to be no descriptions of the young Edward's behaviour on his previous campaigns. Record evidence does not seem to bear out the charge against him of ruthless ravaging on this occasion: at least twice he gave ten shillings as compensation for damage done. (Add.Ms. 22923, f.5.) Gavaston and his fellow-deserters must undoubtedly have had some good reason for leaving the campaign, for it seems hardly likely that they would brave the old king's wrath merely for the sake of a foreign tournament, especially when the Prince was holding one at Roxburgh on 29 October. (Exch. K.R. Accts 368/27, f.25v.) Possibly, however, this tournament was held in order to check further desertions, for tourneying was not a pastime to which the young Edward was much addicted. (I have found only one other instance of his having held a tournament, this being at Wark in 1305 or 1306 (ibid., 369/11, f.51v.))

3 The writ was issued on 18 October in respect of twenty-two

but he probably stayed abroad until the king's wrath had cooled.[1] It is probable that he felt it safe to return to England early in 1307, for Queen Margaret interceded on behalf of the deserters and obtained their pardon, so that by letters dated 23 January, Edward ordered their lands to be restored to them.[2]

But Gavaston had now definitely forfeited the king's favour. On 26 February, Edward at Lanercost ordained that he was to be ready to depart for Gascony from Dover at the expiry of three weeks from the quinzaine of Easter, i.e. by 30 April. For his support he was to be allowed a yearly pension of a hundred marks or the equivalent in livres chipotois from the issues of Gascony, that is, out of the Prince's own resources. The Prince of Wales swore on the Blessed Sacrament and on relics, neither to retain Gavaston nor to recall him without the king's

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3 (contd.) deserters, and was re-issued on 15 November in respect of eighteen. (Parl. Writs,1,i,378; Rot. Parl.,p.216.) In the record of payment to the bearers of these writs to the sheriffs concerned, dated 20 October, Gavaston's name is mentioned with twelve others. Perhaps these thirteen went to France and the rest elsewhere. (Exch. K.R. Accts 369/11,f.148v.) Gavaston's name appears in good company, the list of defaulters including Payn Tybetot, Ralph Basset, Humphrey of Bohun, William and Walter Beauchamp, Roger Mortimer and Gilbert of Clare. Incidentally, these writs are the first indication that Gavaston had any lands.

1 The Prince gave Gavaston £10 for his expenses during his stay outside the court in December,1306. (Add.Ms.22923,f.9v)

2 Parl. Writs,1,i,379; C.Cl.R.1302-7,p.482.

permission.[1]

The reason for Gavaston's exile is not stated, the order vaguely mentioning 'certain reasons.' Most of the chronicles, too, give a very brief account of this first banishment,[2] those which give a reason for it keeping close to the wording of the decree itself.[3] Murimuth,[4] the continuator of Trivet,[5] the St Paul's annalist[6] and the Lanercost chronicler[7] agree in attributing the king's antipathy to Peter to the undue influence which he had over the young prince. The most circumstantial, and, at the same time, the most improbable account is that

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1 Fœdera, 1, ii, 1010; C.Cl.R.1302-7, pp.526-7.

2 Baker, p.3; Ann. Oseney, p.342; Knighton, i, 405; Flores Hist. (Rochester Ms.), iii, 327; Melsa, ii, 278.

3 The Eulogium (iii, 190) and Trivet's chronicle (p.411) describe Gavaston as de diversis accusatum. Trokelowe (p.64) states that he was exiled with the unanimous consent of the magnates certis de causis. Robert of Reading (Flores Hist., iii, 139) says that he was accused of manifest crimes. The Scalacronica (p.139) is more specific; Peris de Gauirstoun fust accuse..... de divers crimes et vices, pur quoi nen fust dignes a estre pres le fitz le roy. It is here alleged that he led the Prince desordeinement.

4 P.9.

5 P.9. It is here stated that Peter was made to swear to abjure the realm for ever, in the presence of the Prince, the earls of Lincoln and Hereford, Ralph of Monthermer and the Patriarch of Jerusalem, but this does not appear in the memorandum on the close roll. (C.Cl.R.1302-7, pp.526-7.)

6 1,255. According to this account, the king feared lest from Edward's fondness for Gavaston multa incommoda....post mortem suam regno posse contingere. There is no mention here of the Prince's oath never to recall Gavaston.

7 P.210. The reason given here is that of familiaritatem indebitam.

given by Hemingburgh, who alleges that Edward exiled Peter because the Prince had importuned him, through Walter Langton, to grant to Gavaston the county of Ponthieu.[1] Later a legend grew up that Langton instigated the king to banish Gavaston, since he and the Prince had together trespassed in the Bishop's park.[2] There is no contemporary foundation for this story, however. In any case, park-breaking was a common offence, and one not likely to have merited exile.[3]

What evidence there is, points to Gavaston's desertion from the Scottish campaign as the immediate cause of his banishment, though the underlying cause was probably the king's objection to the undue influence which he exercised over the heir. Edward had probably been searching for some time for a pretext on which to separate Gavaston from the young prince, and it was no wonder that he should seize the opportunity presented by Gavaston's disloyal conduct during the war, to eject him for ever, as he thought, from his son's society. In itself, Gavaston's desertion, though a serious offence, would in all probability not have incurred the penalty of banishment, if he had not previously forfeited the king's favour: no further

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1 Hemingburgh (11,271-2) gives the story at some length and with a wealth of detail, representing Edward as pulling out his son's hair in handfuls on his going to plead Gavaston's cause in person. Professor Johnstone thinks that Gavaston's exile to Ponthieu provided the foundation for this account. (Eng. Hist. Review, xxix, 452.)

2 V. Foxe, Acts and Monuments, ii, 641; Baker, A Chronicle of the Kings of England, p.106.

3 On two occasions no less a person than the earl of Lincoln was pardoned his trespasses in hunting in the king's forests, parks and chaces, and carrying away his deer. (C.P.R. 1281-92, p.232; ibid., 1301-7, p.41.)

proceedings were taken against his fellow-deserters. But to Edward, this desertion was doubtless the last straw. When Gavaston put himself beyond the pale by such unknightly behaviour, his banishment from the kingdom was the natural outlet for the old king's long-accumulated wrath against him.[1]

The only concession which the Prince seems to have been able to secure for his friend, was that he should be exiled to Ponthieu and not Gascony.[2] The period between the publication of the order and its execution, was spent in making preparations for the alleviation of Gavaston's exile. £28.8s. was spent on buying carpets of various hues for his use,[3] and a prest of £10 was allowed him on 31 March.[4] He apparently departed in grand style, being accompanied as far as Dover by minstrels[5] and by certain members of the Prince's own household, prominent among

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1 Edward 1 seemingly possessed little self-control. At the marriage of his daughter, Isabella, he snatched the coronet from her head in a fit of rage and threw it behind the fire. The damage cost £2 to repair. (Add.Ms. 7965,f.15v.) Gavaston's banishment, however, seems to have been the result of long premeditation.

2 Correspondence between the two friends would thus be much easier. Further, the Prince was expecting to cross over to France very shortly for his marriage to Isabella, and intended to make Ponthieu his headquarters during his visit. There was probably an active correspondence between Edward and Peter during the latter's exile, but I have found record of only one letter thus sent, this being from Peter. (Exch. K.R. Accts 373/15,f.21v.)

3 Add.Ms. 22923,f.10.

4 Exch. K.R. Accts. 369/16,f.13v.

5 Two minstrels who accompanied Gavaston from London to Dover, received 6s.8d. as a gift from the Prince. (Add.Ms. 22923, f.6v.) Apparently Gavaston had some skill in music: in 1307, rotes were bought for him and others of the Prince's household. (ibid.,f.18.)

them being Ingelard of Warley, who was engaged on some secret negotiations with Gavaston on the Prince's behalf.[1] These negotiations may well have been connected with Edward's forthcoming visit to France, for which preparations were now in hand.[2] The king had further signified his displeasure towards Gavaston by allowing Roger Mortimer, though a minor, to have seisin of his lands, thereby depriving Gavaston of a considerable source of revenue.[3] The Prince, however, valiantly strove to compensate his friend for this loss by showering gifts on him and his household. Of his yeomen, for example, Henry of Guildford received £2 to buy a bed with[4] and William of Anne, a present of £2.6s.8d.[5] Other yeomen and garciones received £13.6s. between them.[6] After his arrival in Ponthieu, Gavaston received £260 in money,[7] five horses[8] and two outfits for tour-

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1 Ibid.,f.15. Ingelard was also entrusted with the payment of £13.6s. to various members of Gavaston's household. (ibid.,f.6)

2 Ibid.,f.4. The visit never materialised.

3 C.Cl.R. 1302-7,p.377.

4 Add.Ms. 22923,f.5v. Henry was Gavaston's yeoman of the chamber.

5 Ibid.,f.6. Gavaston was also accompanied by John Baldwin, one of the Prince's yeomen, who was given £1 as a gift. (ibid.)

6 Ibid., loc.cit.

7 Exch. K.R. Accts 369/16,f.13v.

8 Add.Ms. 22923,f.15.

neying.[1] He also profited largely from the preparations which had been made for the Prince's cancelled visit.[2]

Peter was in Ponthieu in all for about two and a half months. We know little of his life there, except that he stayed at Crécy,[3] that he attended two tournaments in France,[4] and that he was visited by Anthony Bek, Bishop of Durham and Patriarch of Jerusalem.[5] His exile must have been alleviated by his comfortable position at the head of a considerable household, which already included several figures who were later to become prominent. His yeoman, John of Charlton,[6] for example, was later destined to become the king's chamberlain,[7] whilst another yeoman, John of Knockin,[8] was also to enter the royal household.[9] Yet another yeoman, Henry of Guildford,[10] was appointed by Gavaston as Usher of the Dublin Exchequer.[11] ~~The fourth of the~~

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1 Ibid.,f.10v. One of these outfits, de pipis et perlis super velvetto viridi frettato cum aquillettis aureis de armis eiusdem domini Petri, was an extremely costly present, being worth £24.4s.4½d. The other, super viridi sindone, cost £8.8s.7½d. (v. Professor H. Johnstone, "The County of Ponthieu, 1279-1307," in Eng. Hist. Review,xxix,452.)

2 Add. Ms. 22923,f.4.

3 Ibid., loc.cit.

4 Ibid.,f.10v.

5 Ibid.,f.4.

6 Exch. K.R. Accts 13/7,m.1.

7 V. infra,p.311.

8 Exch. K.R. Accts 13/7,m.1.

9 V. infra,p.311. Both John of Charlton and John of Knockin were included in the list of those members of the king's household against whom the second Ordinances were directed.

10 Add. Ms. 22923,f.5v.

11 V. infra,p.251 and note 2.

Gavaston's household in Ponthieu also included two knights, Robert of Kendal,[1] who later became one of his attornies,[2] and Henry of Leybourne,[3] four other yeomen, George Percy,[4] Richard Oliver,[5] William of Anne[6] and Robert of Rufford,[7] his chamberlain, Roger,[8] his two falconers, Matthew[9] and Henry,[10] four garciones, Richard Dragon, Alan of Cornwall, Robert le Summoner and Peter of London,[11] with doubtless numerous others.[12] Gavaston was also accompanied by John Baldwin, one of the Prince's yeomen, and six of the Prince's grooms were sent to Ponthieu after his arrival there.[13] In such circumstances, and comforted by the knowledge that, once the old king was dead, he would immediately be recalled by his successor, his exile must have passed pleasantly enough.

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1 Exch. K.R. Accts 13/7,m.1.

2 V. infra,p.319.

3 Exch. K.R. Accts 369/16,f.13v.

4 Ibid., 13/7,m.1. George Percy's wife, Margaret, visited the Prince's court at Lambeth during her husband's absence, and received a gift of £2 on her return home. (Add. Ms. 22923,f.6v.) It was to Percy that the king committed the manor of Corsham during Gavaston's exile in Ireland. (v. infra,p.114 and note 4)

5 Exch. K.R. Accts 13/7,m.1.

6 Add. Ms. 22923,f.5v.

7 Exch. K.R. Accts 373/15,f.21v.

8 Add. Ms. 22923,f.5.

9 Exch. K.R. Accts 370/26,m.4.

10 Ibid., 373/15,f.49.

11 Ibid.,ff.20v,21v,25.

12 Certain members of Gavaston's household, his clerks, Roger of Wellesworth and John of Marsan, and his nephew, Bertrand Calhau, who, if not in his uncle's household, was certainly associated with him, seem to have remained in England. (ibid., 369/16,f.13v.)

13 Add. Ms. 22923,ff.6,15.

Chapter 111

Gavaston's career after the accession of Edward 11.

a) His recall from exile and creation as earl of Cornwall.

Edward 1 died at Burgh-on-Sands on 7 July, 1307. Directly his son heard the news, he must have sent word to Gavaston to return, for Peter arrived in London shortly afterwards.[1] Whilst in London, Gavaston stayed at the house of Walter Reynolds, the late Treasurer of the Prince's Wardrobe and the future Treasurer of England.[2] It is interesting to find Gavaston associated with one, who, now that the old king was dead, was a great man. Evidently it was fully realised that Gavaston was now a power in the land, although as yet no honours had been conferred on him.

Throughout Gavaston's brief stay in London, he was in communication with the king,[3] whose favour towards him at this time was shown by the bestowal of gifts on various members of Peter's household.[4] Gavaston then journeyed northwards. By 6 August, he was with the king at Dumfries, whither Edward had gone to receive the homage and fealty of the Scottish nobles.

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1 He may have arrived as early as 16 July. (Exch. K.R. Accts 373/15,f.21.)

2 A letter from the king was sent to him there, the bearer being paid 4s.6d. on 19 July. (ibid.,f.23.)

3 Alan of Cornwall, one of Gavaston's garciones, journeyed from Staines to Scotland, probably with a message to the king, and received 4s. for his expenses on 18 July. The following day, a letter was apparently sent in reply to Gavaston. (ibid., ff.25,23.)

4 On 16 July, Richard Dragon, Gavaston's garcio, received 5s. as the king's gift during his illness at London, and Robert of

This must have been one of the great days in Gavaston's life, for it was then that Edward granted to him the earldom of Cornwall, together with all the other possessions and lands which had belonged to Edmund, earl of Cornwall. As earl of Cornwall, Gavaston held a position of great importance and responsibility,[1] and the English nobility could no longer legitimately object to his close companionship with the king, which was emphasised at this time by the direction both of letters on the king's business[2] and of gifts[3] "to the king and the earl of Cornwall."

From Dumfries, Edward and Gavaston returned to Carlisle,[4] but remained there only a short time. They then travelled south together as far as Gavaston's manor of Knaresborough,[5] where they remained from 9 to 12 September.[6] Leaving Gavaston at Knaresborough, Edward continued his journey to London.

Edward's relinquishment of the Scottish campaign, though

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4 (contd.)
Rufford, one of Gavaston's yeomen, who was injured whilst returning from Ponthieu in Gavaston's company, received 16s. from the king for his support during his stay in London. (ibid.,ff.21,21v.)

1
V. infra, pp.100-41, for Gavaston's position as a land-owner and magnate.

2
Exch. K.R. Accts 373/15,ff.25v,26. These letters are dated 3, 7 & 12 September. There was a regular exchange of letters between the Treasurer and others and the court during its sojourn in Scotland and its journey south. Gavaston's garcio is also found bearing letters from the king to London and returning to Scotland with letters on the king's business from the Treasurer and others. (ibid.,f.25.)

3
On 9 September, Thomas Smith received a gift of £1 from the king for bringing the heads of several barbed arrows "to the king and the earl of Cornwall" at Knaresborough. (ibid.,f.20.)

4
Gavaston's stay at Carlisle cost the king £10.16s.8d., but, since the number of his household is unknown, much of the significance of this figure is lost. Individual items of this account are as follow: 14½ lbs of wax at 9s.10d.; bread and

generally set down to his discredit, may equally well have been, as Professor Tout observes, "the result of the aversion of the baronage to imperialistic adventure and to a general wish to break from the ruinous enterprises of the dead monarch."[1] The campaign had already proved very costly, and showed no signs of coming to a close. With a full treasury, Edward might have stayed in Scotland indefinitely, but hampered by the legacy of debt bequeathed him by his father, he had really no option but to withdraw.[2]

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4 (contd.) beer at £2.5s.9d.; meat at £5.0s.4d.; wood and coal at £1.2s.6d.; hay and straw at £1.4s.1d.; 10s.2d. for the kitchen; and 4s. for the hall and chamber. (ibid., 373/15, ff.32,35,37,39v,44v,51; 369/17,f.1.)

5 They proceeded to Knaresborough viâ Ripon. (ibid., 373/15,f.20)

6 Ibid.,f.49. From Knaresborough, Edward proceeded to St Mary's convent at York. (ibid., 373/5,m.2.)

1 Chapters,ii,192.

2 Of the chroniclers, the only one to comment adversely on Edward's retreat is Robert of Reading, who states that when Bruce knew that the death of Edward 1 assured his safety, he came forth from hiding, took by stealth the places captured by the late king of England and ravaged Northumberland, parvipendo consilium aut fortitudinem Anglorum, cum inter ipsos non fuit defensor. (Flores Hist.,iii,138-9.) The canon of Bridlington apparently thought it in the natural order of things that Edward should desist from the campaign, for he records that all the nobles of Scotland, except Bruce, did homage and swore fealty to Edward as king and superior lord of Scotland, thereby implying that Edward secured a bloodless victory. (Gesta Edw.,ii,28.)

It was Edward 11's greatest misfortune that he followed Edward 1. At his death, Edward 1 had been prosecuting a war with Scotland, Wales was in rebellion, the English power in Ireland was being overpowered by the Wicklow clans, and Philip 1V was gradually gaining ground in Gascony. At home, too, all was far from well. Edward had quarelled with both church and baronage: at the time of the king's death, Winchelsea was still in exile at Rome, and the barons were still smarting under Edward's repudiation in 1305 of the confirmatio cartarum of 1301. Further, Edward 1 not only died heavily in debt:[1] he deprived himself and his successor of more than one considerable source of revenue from which those debts might have been discharged, for the Frescobaldi would continue their loans only if repayment of past advances were made at the same time.[2]

This inheritance of debt hampered Edward 11 from the commencement of his reign. Immediately after his accession, therefore, he set himself to the task of paying off his father's debts, with such effect that the bulk of them were discharged within the first six years of his reign.[3] The dismissal and

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1 "Probably no mediæval king left his finances in a more hopeless confusion than did the great Edward. Certainly none of them ever handed to his successor so heavy a task with such inadequate means to discharge it." (Tout, ~~XXXX~~ Place of Edward 11, p.35.)

2 At the close of the reign, the Frescobaldi controlled the customs and were practically receivers general of Ireland and the Duchy of Guienne, besides being the lessees of the king's mines in Devon.

3 For financial conditions during the reigns of Edward 1 and Edward 11, v. E.A.Bond, "Extracts relative to Loans supplied by Italian merchants to the kings of England in the thirteenth and fourteenth centuries" (Archæologia, (1840), xxviii, 240-54.)

arrest of Edward 1's Treasurer, Walter Langton, Bishop of Coventry and Lichfield, was also part of the financial amelioration inaugurated by the new reign.[1] Robert of Reading,[2] Walter of Hemingburgh[3] and the St Paul's annalist[4] imply that Edward was instigated in this matter by Gavaston, whose mortal enemy Langton was known to be, but in view of what is known of the circumstances of his removal, this seems improbable, though Gavaston and his royal master were very likely of one mind on the subject. The origin of the contemporary belief that it was Gavaston who engineered the Treasurer's downfall is perhaps to be found in the fact that it was by his orders and those of the new Treasurer, Walter Reynolds, that proclamation was made in the City of London on 4 October, 1307, that any one who had any complaint against Langton, should put it in writing and hand it without fear to the clerk of the justice, William of Bereford, and speedy justice would be done him.[5] Why Gavaston should have acted in concert

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3 (contd.)
C.Johnson, "An Italian Financial House in the Fourteenth Century" (St Alban's and Hertfordshire Archit. and Archæol. Soc., Trans., new series, (1903), i, 320-34); R.J.Whitwell, "Italian bankers and the English crown" (R. Hist. Soc. Trans., new series, (1903),xvii,175-233); H.Hall, History of the Customs, (1885),ii, passim.

1 Walter Reynolds was appointed Treasurer in his stead on 22 August,1307. (Tout, Place of Edward ll,p.70.)

2 Flores Hist.,iii,140. 3 ii,273.

4 i,257. Langton was imprisoned at first in the Tower, and then moved from castle to castle, staying some time in Gavaston's castle of Wallingford (Lanercost,p.210), and finally being removed to York. (Murimuth,p.11.) The Annales Paulini (i,257) allege that it was at Gavaston's orders that Langton was moved about, but Murimuth states that it was Edward himself who appointed his jailers, J. and R. Felton. (p.11)

5 Riley, Memorials of London,p.63.

with Walter Reynolds on this occasion must remain a mystery, but it is tempting to interpret it as showing his personal interest in the matter. It seems also to have been generally thought that, even if not instigated by Gavaston, Edward's main reason for dismissing and arresting Langton, was personal dislike. Adam Murimuth[1] and the Lanercost chronicler,[2] for example, allege that Langton's disgrace was due to the fact that it was principally on his advice that Gavaston had been exiled by Edward 1, whilst Trokelowe[3] attributes the king's hostility, to Langton's having jokingly drawn him away from his acts of violence, during Edward 1's lifetime, and to his having tried to curb his extravagance. Finally, Hemingburgh,[4] who gives the story of Langton's downfall in great detail, alleges that Edward and Gavaston conspired to have the Treasurer arrested, because he had refused to let ~~him~~ Edward have free access to his father's treasury when he was Prince of Wales. In the circumstances, it seems extremely probable that there was enmity of long standing between Edward and Langton. Nevertheless, the king's dismissal of his father's treasurer was not the outcome of mere personal animosity. Langton had never been a popular minister. "Edward 1's furious hostility to barons and bishops,"

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1 P.14.

2 P.210.

3 P.63.

4 ii,273-4. Not all the chroniclers are as concerned with Langton's misfortunes as Hemingburgh. The Malmesbury chronicler makes no reference to his imprisonment, and the canon of Bridlington barely mentions it. (ii,28)

had shown itself, to use Tout's words, "in the huniliation of the earls of Gloucester, Hereford and Norfolk and the exile of Winchelsea and Anthony Bek": hence "the fall of Langton meant the reconciliation with the crown of the sons of the chief baronial victims of Edward's policy and the return home of the rebellious prelates from their banishment. Such a termination of ancient feuds involved a strengthening not a weakening of the crown."[1] Further, if Hemingburgh is to be believed, Edward was right in his suspicions of his father's former Treasurer, for a fortune of fifty thousand pounds of silver, besides much gold, jewels and precious stones, seems an inordinate amount for a Bishop to have amassed honestly.[2]

But whatever credit Edward may have deserved by his attempts to remedy the financial chaos to which he succeeded,[3]

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1 Tout, Chapters, ii, 192.

2 ii, 273-4. Support for Hemingburgh's story is to be found in the Lanercost Chronicle, which, whilst describing the Bishop as virum utique discretum inter omnes de regno (p.210), at the same time records the contemporary belief that Edward found in Langton's possession more of the treasure which he had collected during Edward 1's lifetime than was found in the treasury after his death. After remaining in prison for over four years, Langton was restored to the king's 'semi-favour' on the Pope's intervention (Trokelowe, p.63), but it was more probably Edward's need of ministers than the Bishop's vindication of his character, that underlay his re-employment by the king.

3 Edward's preoccupation with financial matters during the early years of his reign is shown by his refusal to coin new money, which would have involved considerable expense. Instead, it was ordained at the Parliament of Northampton in 1307 that Edward 1's money, which was regarded as debased after his death, should be accepted as current on pain of life and limb. (Cont. of Trivet, pp.2-3.) Later, on 5 August, 1309, proclamation was ordered of the king's intention to coin no new money, and the depreciation of Edward 1's currency was forbidden. (Fœdera, 11, i, 84.)

his unwisdom in recalling his favourite immediately on his accession is undeniable. True, the magnates had agreed to Gavaston's return and creation as earl,[1] but it needed more than temporary acquiescence in his turn of fortune to effect a permanent reconciliation between him and the rest of the baronage. As yet the matter was not pressing, for after parting from the king at Knaresborough, Gavaston seems to have made a brief tour of some of his manors, in order, no doubt, to receive the homage of his tenants. On 18 and 19 September, he was in Cornwall.[2] From there he journeyed to Norfolk[3] and then on to London,[4] returning to Norfolk at the beginning of October.[5] By 8 October, however, he had returned to London again,[6] and his close association with the king was probably renewed. It was now vital for Edward to find some expedient by which to make his friend acceptable to the other earls. With this end in view, the king arranged for Gavaston's marriage to his niece, Margaret, sister of Gilbert of Clare, earl of Gloucester. According to the continuator of Trivet,[7] Gavaston's marriage was discussed only three days after Edward I's funeral, but as the wedding

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1 For the names of the witnesses to Gavaston's charter, v. infra, p. 101 and note 2.

2 Letters were sent to him there from the king at Clipston. (Exch. K.R. Accts 373/15, ff.24,24d.)

3 On 22 September, the king sent a letter to him there. (ibid., f.24.)

4 The king sent letters to him in London on 23 and 24 September and 1 October. (ibid.,ff.24,24v.)

5 He must have been there during the first week of that month, for a letter was directed to him there from Nottingham on 2 October. (ibid.,f.24v.)

actually took place on 1 November, this can hardly have been the first time that the matter had been raised. I have found no evidence of a betrothal, however. Despite the haste with which it seems to have been arranged, Gavaston's marriage lacked nothing in sumptuousness. It took place in Berkhamsted church, and, as usual, money was thrown over the heads of the pair as they entered.[1] The king himself was present with a numerous retinue,[2] and made lavish presents to all concerned, jewels to the bride and groom[3] and other gifts to the ladies in attendance on Margaret.[4] After the ceremony the guests were entertained by minstrels.[5]

Neither chronicles nor records shed any light on Gavaston's married life. It is tempting to assume, however, that Gavaston proved a good husband and that his marriage turned out happily: certainly he seems to have had no illegit-

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6 (contd.)
The following day, he sent his garcio with letters to the king at Leicester. (ibid.,ff.24v,20v.)

7 P.3.

1 £7.10s.6d. was given to the king for this purpose by William of Boudon. (ibid.,f.22.)

2 Richard le Koc of Berkhamsted received 5s. for the losses which he sustained in houses, beds and other property of his, through the king's visit. (ibid.,f.21.) This indicates the presence of a considerable number of people. The king also took his private chapel with him. (ibid.,f.11v.)

3 Peter of Sparham, a London merchant, received £30 for providing jewels for the wedding. (ibid.,325/4,m.2.) Margaret also received a present of a palfrey about this time, for on 11 November, Adam Billings received £20 in payment for it.(I.R. 141,m.1.)

4 In all, £36.17s.7d. was spent by the king for this purpose. These presents included silk cloth of gold from Paris, ker-

imate offspring.[1] As a diplomatic alliance designed to promote amicable relations between Gavaston and his fellow earls, the marriage also seems to have been a success. The earl of Gloucester, now his brother-in-law, became Gavaston's firm ally, though not necessarily, of course, as the result of the marriage.[2] In other respects, Gavaston's alliance with the royal family proved a definite asset. As the king's nephew by marriage, Gavaston was entitled by right to a place in the king's innermost councils: according to the Malmesbury writer, too, his party was greatly strengthened by his marriage, and the hatred of the barons checked.[3] On the whole it was only to be expected that Gavaston would meet with a more cordial

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4 (contd.)
chiefs from Germany, tunics worked with gold plate and pearls, silks of various colours, velvet, silver foil for ladies' tunics, white cloth from Hailsham and boxes made of dressed leather for ladies' use. (Exch. K.R. Accts 373/15,f.43)

5 On 3 November, William of Baliol received £20 at Berkhamsted to divide among the minstrels who played before the king at Gavaston's wedding on All Saints' Day. (ibid.,f.21.)

1 Edward II had at least one natural son, Adam: he was equipped for the Scottish campaign of 1321 at the king's expense and was apparently killed on that occasion, for on 30 September, 1322, two silk cloths of gold were placed above his tomb. (Stowe Ms. 553,ff.27,113.) Even Edward I was not without illegitimate issue. His natural son, Richard of Neueby, a yeoman of Gascony, came to court in May,1313, and was given £13 by the king's own hands. (Exch. K.R. Accts 375/8,f.28v.)

2 Certain of the chronicles (Trokelowe,pp.68,69,78; Gesta Edw., ii,39; Vita Edw.,ii,158,176; Hemingburgh,ii,275), allege that Gloucester was opposed to the marriage, but his attitude towards Gavaston does not bear this out. Gloucester seems to have tried to stand neutral in the quarrels of the reign, but when he took sides, it was with the king and Gavaston. He accompanied them to Scotland in 1310 and he joined with Gavaston and Warenne in protesting against the Ordinances. (Gesta

reception from the magnates on his wife's account than he would have received with only his own merits to commend him. His union with the ancient English families of the Clares and the Plantagenets served to distract attention from his own foreign birth and humbler origin, and doubtless many who would not have scrupled to deride the pretensions of the new earl of Cornwall hesitated to arouse the wrath of the earl of Gloucester.

After the wedding Gavaston and the king parted company for a time[1] but were re-united by Christmas, which they spent together at Wye.[2]

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2 (contd.) Edw., ii, 39.)

3 ii, 155. The writer of the life of Clement V in the Vitae Paparum Avenionensium, (1914-27), states that fresh discord arose between king and barons because the king gave Gavaston his niece in marriage (i, 29), but this was probably confined to such intransigeants as Warwick and Lancaster.

1 Gavaston went on to London, whence, on 10 November, he sent letters to the king at Lenton. (Exch. K.R. Accts 373/15, f.26v.)

2 Ann. Paul., i, 258.

b) Gavaston as earl of Cornwall.

(i) As a land-owner.

It is difficult to judge the reaction of the English magnates to Gavaston's rapid advancement. The general impression gained from contemporary chronicles is that both Gavaston's recall and the bestowal on him of all the lands formerly held by Edmund, earl of Cornwall, took place against the will of the baronage.[1] The author of the Vita Edwardi is alone in stating that Edward conferred the earldom on his favourite with the consent and counsel of certain of the earls, in particular, of Lincoln, who, when the king doubted his ability to separate Cornwall from the Crown, of which it was an appanage, suggested that he was within his rights, inasmuch as other kings in the

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[1] Vita Edw., ii, 155; Ann. Bermondsey, p.469; Ann. Melsa, ii, 280; Flores Hist., iii, 139; cont. of Trivet, p.4. The Lanercost chronicler (p.210) and the continuator of Trivet (p.2) incorrectly state that the Isle of Man was also conferred on Gavaston. The Eulogium (p.193), Ann. Worcester (p.560), Baker (pp.3-4), Ann. Paul. (i, 257), and the Gesta Edwardi (ii, 155) give unembroidered accounts of Gavaston's advancement. Guillaume de Nangis (i, 376), however, says that Edward conferred on Gavaston comitatum Linconiensem (sic).....multasque novitates against the wish of all and contrary to the custom of the country, for it was considered prejudicial to the realm and the law of the land. He further alleges that the barons, who thoroughly hated the king, made such an outcry at this that they would have risen against him and deprived him of all share in the government, if they had not refrained out of consideration for Philip IV of France and his daughter, Edward's consort, quae se ipsam baronibus gratiosam et amabilem exhibuerat. Hemingburgh (ii, 273) states that Cornwall was granted to Gavaston without the magnates even being consulted.

past had twice separated them.[1] Tout points out, however, that the charter of 6 August, 1307, by which Gavaston was granted the earldom of Cornwall, was witnessed by the earls of Lincoln, Arundel, Richmond, Pembroke, Lancaster, Surrey and Hereford, the last three of whom later became his bitter enemies.[2] Nevertheless, it seems to have constituted one of the grievances of the earls that Edward should have passed over his two brothers in favour of a commoner, especially when Cornwall was regarded as an integral part of the Crown's property.[3] The Malmesbury writer even goes so far as to allege that the reason why the earls strove to secure Gavaston's deprivation of the earldom, was that Edward 1 had intended to confer it on one of his sons, but death had put a stop to his plans.[4] There is no documentary evidence in support of this, however.

The form of Gavaston's charter[5] is of interest in two respects. In the first place no words expressly created him earl of Cornwall. Hence the Report on the Dignity of a Peer

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1 ii, 155. If this represents Lincoln's actual argument, he must have been thinking of Alan of Brittany, who is thought by some to have held the earldom from 1140 to 1141, and of Baldwin of Redvers (d.1188), who may be considered to have held the courtesy title in right of his wife, Henry 1's grand-daughter. (The Complete Peerage, s.v. Cornwall.)

2 Place of Edw. 11, p.14, note 5. He notes that there is some doubt whether witnessing a charter at this time was not a purely formal act, which did not involve personal presence or consent, but thinks it hard to believe that "the Chancery would have dared to put down as 'witnesses' men opposed to Gavaston's advancement." For the whole question of attestation of charters, v. Maxwell-Lyte, The Great Seal, (1926), pp.234-7.

3 Ann. Melsa, ii, 279-80; Flores Hist., iii, 139; Ann. Lond., i, 151; ~~XXXXXXXXX~~ Trokelowe, p.65. The Lanercost Chronicle (p.210) states that the bestowal of the earldom of Cornwall on Gavaston was confirmed at the Parliament of Northampton of October, 1307, but this is unsubstantiated by documentary evidence.

argues that, unless he was created earl by a separate act,[1] by girding him with the sword, for example, the grant of the county of Cornwall to hold as earl Edmund had held it, must have been considered tantamount to the creation of Gavaston as earl. An entry in the Memoranda Roll suggests that he was created earl by a separate act, though by what means is still unknown.[2]

Secondly, though the charter confers on Gavaston all the possessions late of Edmund of Cornwall, it specifies only the more important of these. It is important to grasp, however, exactly what Gavaston's possessions were, in order to estimate his position and prestige in the kingdom. Gavaston's territories were not as extensive as Edmund's had been.[3] Ed-

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4 (contd.)
ii, 168.

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Fœdera, ii, i, 2; Report on the Dignity, v, 12-14; C.Ch.R. 1300-26, p.108; P.R.O. ~~E 41.~~ Ancient Deeds AA 460.

1
ii, pp. 172-3.

2
L.T.R. Mem. Roll 79, m.5: "and immediately the present king came to the throne, he conferred on Peter of Gavaston the said ~~earldom~~ county" (comitatus), "together with the said manor" (i.e. Newport) "and all others which had belonged to Edmund, late earl of Cornwall.....et profecit ipsum comitem." Evidently the clerk who wrote this thought that Gavaston's creation as earl was distinct from, and perhaps even later than the grant to him of Edmund's lands. It is unfortunate that comitatus means both 'county' and 'earldom:' in the present instance, however, there seems little doubt that it should be translated as 'county.'

3
For the lands of Edmund, earl of Cornwall, v. T.F.Tout, "The Earldoms under Edward 1" in R.Hist.Soc. Trans., new series, (1894), viii, 142-4, abridged in the text to plate xviii in R.L.Poole's Historical Atlas of Modern Europe, (1902)

Sketch map to show the more important of Gavaston's manors.

mund had been lord of nine honours,[1] Launceston, Trematon, Bradninch, Fordington, St Valery, Wallingford, Eye, Berkhamsted and Knaresborough. His widow now held Bradninch, Fordington and Eye as part of her dower, together with all the lands which her husband had owned in Norfolk and Suffolk, and various other manors scattered over the kingdom.[2] The castle and honour of Berkhamsted, too, formed part of the dower of Margaret, the queen-mother.[3] So Gavaston was left with but five honours. Of these, two, Launceston and Trematon, comprised between them nearly the whole of Cornwall, including the castle and manor of Launceston, the castle and town of Trematon with the borough of Ash, the castle and borough of Tintagel, the castle and town of Restormel, the manor and borough of Liskeard, the manors of Lostwithiel, Boconnoc, Helston-in-Kerrier, Climsland, Penkneth, Tywarnhaile, Tewington, Penlyne, Moresk, Rillaton and Calstock, with all their appurtenances, the manor of Helston-in-Trigg with the borough of Camelford and the hamlet of Penmayne, the manor of Tibesta with the borough of Ponsnooth, the hundreds of Pyder, Powder, Trigg, Lesnewth, Stratton, East, West and Kerrier, a third of the hundred of Penwith and three Cornish acres in Talskedy. In addition, Gavaston had the advowsons of the churches of St Buryan, St Stythian, St Creed and St Michael by

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1 An honour was composed of a number of estates situated in various counties, and its lord was invested with both civil and criminal jurisdiction. For the significance and definition of the honour, v. Ch. Bémont, Simon de Montfort, (1884), pp.53-4.

2 C.Cl.R.1296-1302, p.426; C.Inq.p.m., v, 279(p.153); L.T.R. Mem. Roll 78, m.1d.

3 C.P.R.1301-7, p.119. Queen Margaret's dower also included the manor of Mere in Wiltshire and two-thirds of Princes Risborough

Saltash, and those of Blisland, Lanteglos and Stokeclimsland, which appurtained to the castle of Launceston, together with those of St Stephen, Trematon and Calstock, which appurtained to the castle of Trematon, as well as the advowsons of the priories of St Michael at St Michael's Mount and of Tywardreath, with the custody of this latter priory during a vacancy. This remote western estate also embraced a vast tract of land in Devonshire, where Gavaston now owned the huge manor of Lydford,[1] the whole of Dartmoor, and various other lands extending as far as Exeter, the city and castle of which was also in his domain. The wealth of this section of Gavaston's territories was considerably augmented by the various jurisdictions which he exercised there, by the pleas of the shire, and, above all, by the profits from the stannaries. In this far-western portion of England, Gavaston's power was paramount: "a prince who ruled from the Land's End to Exeter was a potentate of no small authority."[2]

Forming a bridge between the western earldom and Gavaston's great estate in the upper Thames valley were the borough of Ilchester[3] in Somerset (the advowson of the church there also belonging to Gavaston), and the manor of Corsham, the borough of Wilton and the towns of Barford, Malmesbury[3] and Rodbourne in Wiltshire. The honours of Wallingford and St Valery formed the

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3 (contd.) in Buckinghamshire (the other third being held by the countess of Cornwall), which had belonged to Edmund.

1 One of the stannary prisons was at Lydford castle. There is an undated letter from Baldwin le Moine, keeper of the chace of Dartmoor for Gavaston, to William Martin and his fellow keepers of the peace, asking them to deliver to him all the stannators who have been indicted or who are to be indicted before them, as he is the keeper of the earl's prison at Lydford. (A.C.xxxv,

nucleus of the Thames valley property. Subject to the honour of Wallingford were the important manors and towns of Benson and Watlington, the manor of Beckley with the hamlets of Horton and North Osney, and the four hundreds and a half of Chiltern, all in Oxfordshire,[1] whilst in Berkshire the manors of Crookham and Leckhampstead and the districts immediately round Wallingford were also held by Gavaston. These estates, which were almost as extensive as, and considerably richer than those in the west, were prolonged south into Surrey, where Gavaston owned the manors of Byfleet and Pachesham.[2] Further east was the manor of Newport in Essex, with the hamlet of Birchanger, whilst further south lay Old Shoreham[3] and the city of Chichester.

In the north-west Midlands was situated another tract of Gavaston's territory. In Lincolnshire he held the entire wapentakes of Aslacoe, Corringham and Manley, and his manors ran

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1 (contd.) no.56A.)

2 (contd.) Tout, Earldoms, p.142.

3 (contd.) Edmund's widow, Margaret, was to receive £20.15s.6d. from Ilchester and £20 from Malmesbury annually. (C.Cl.R., 1296-1302, p.426.) The £50 rent which the abbot of Hailes had paid Edmund for the manor of Lechlade in Gloucester was part of Queen Margaret's dower, but on 6 August, 1307, it was transferred to Gavaston. (Fœdera, II, i, 3; C.P.R. 1307-13, p.9. Cf. C.Cl.R. 1307-13, p.12.) As late as 23 October, 1310, orders were being given the Treasurer to acquit the abbot of this rent. (L.T.R. Mem. Roll 81, m.19; K.R. Mem. Roll 84, m.12.)

1 The advowsons of the churches of Mixbury, Beckley, Holton, Horsepath, Stoke and Chalgrove belonged to Gavaston.

2 C.Ch.R. 1300-26, p.110.

3 From the rents from Old Shoreham, Edmund's widow received £10. 18s.7d. annually. (C.Cl.R. 1296-1302, p.426.)

along the east of the county from the banks of the Trent and Humber down to the region round Stamford.[1] His Northamptonshire estate included the baronies of Cheyndut, Mauregard and Lucy and the hamlets of Althorp, Gubblecote and Woketon.

In the far north, too, Gavaston's influence was strong, for in Yorkshire he was lord of the manor, castle and honour of Knaresborough, the towns of Aldborough and Boroughbridge, the manor of Scriven and the hamlet of Clifton Ellesworth.[2]

All these lands were conferred on Gavaston on the same day, but apparently he did not come into possession of all of them until some time had elapsed, Knaresborough, for example, not being handed over to his steward until 20 August.[3] A still further delay seems to have ensued before he began to enjoy their revenues. Until the end of the financial year, i.e. 29 September, 1307, the issues from Gavaston's lands continued to be paid to the Exchequer, and Gavaston seems never to have received them.[4]

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1 The churches of Hemswell, Pilham, Springthorpe, Heapham and Frodingham in Lincolnshire were all in Gavaston's presentation.

2 For a detailed list of earl Edmund's possessions, v. C. Inq. p.m. iii,423, but cf. C.P.R.1292-1301,p.63 and C.Cl.R.1296-1302, p.426, for the lands assigned to Margaret, his wife. (I am indebted to Miss L.M.Midgley M.A. for these last two references.) Of Edmund's estates, Tout (Earldoms,p.144) remarks: "In no part of central or southern England was his power quite unrepresented."

3 On that day, the custos of the castle and honour, Miles of Stapleton, handed over his charge to William of Vaux, Gavaston's steward. (L.T.R. Mem. Roll 78,m.11d.) Thomas de la Hyde, the king's steward of Cornwall, handed over the county to Gavaston on 6 August, however. (L.T.R. Mem. Roll 78,m.131; K.R. Mem. Roll 81,m.99d.)

4 Apparently Gavaston experienced some difficulty in exacting both allegiance and rent from some of his tenants. By letters of 20 February,1308,for example, Michael of Meldon was ordered to render homage and fealty to Gavaston for the lands and tenements which he held of him in the townships of Cassington,

After Michaelmas, 1307, and well into 1308, the revenues from what may conveniently be termed the Cornwall lands were still being accounted for to the Exchequer, but a month or so before the Easter view of account,[1] mandates were sent to Thomas de la Hyde, lately the king's steward in Cornwall, and to both escheators, ordering the delivery to Gavaston of all ferms, rents and issues of the county of Cornwall and of all manors and lands in their charge, late of Edmund, earl of Cornwall, from the preseding Michaelmas.[2]

Gavaston's first charter contained by far the most important territorial grants which were made to him. By it, he became a great land-owner, and as much a power in the land as Gloucester, Lincoln or Pembroke, though his estates never approximated either in extent or wealth to those of Lancaster, who was unquestionably the greatest land-owner in the kingdom.[3]

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4 (contd.)
Somerford and Worton in Oxfordshire, and to pay him 4 marks per annum for Worton, as he had been accustomed to do to earl Edmund. (Fœdera, ll, i, 32; C.P.R. 1307-13, p.46.) He had been discharged of this rent at the Exchequer on 6 August, 1307. (C.Cl.R. 1307-13, p.12.)

1 Easter Day in 1308 fell on April 14. The mandates are dated 6 March.

2 Fœdera, ll, i, 37; C.Cl.R. 1307-13, p.25.

3 Thomas of Lancaster was earl of Lancaster, Leicester and Derby by succession from his father, Edmund. After the death of his father-in-law, Lincoln, he inherited the earldoms of Lincoln and Salisbury.

With vast tracts of land in the west and in the upper Thames valley and considerable properties scattered all over England, there must have been few places in which Gavaston's influence was not felt.

Between the grant to Gavaston of these lands and his deprivation the following June, he received two other notable increases of territory. On 1 November, 1307, he was given the custody of the lands and tenements of Thomas of Audley, a minor, until he came of age.[1] The following 16 March, the castle of Berkhamsted, which Queen Margaret held in dower, was bestowed on him.[2]

This last grant must have been made to Gavaston in the teeth of the barons, who had been taking counsel for some time now how to rid themselves of him.[3] Their deliberations reached a head in May, when Gavaston's expulsion and deprivation were determined on. On 18 May, the king reluctantly agreed that his favourite should be exiled and deprived of his lands on 25 June. Gavaston began handing over his lands to the king almost immediately. The following day, he delivered to Edward the manors of Crookham and Leckhampstead in Berkshire.[4] This was followed on 4 June by his surrender in person, in the presence of the Chancellor, the Treasurer, the earl of Richmond, Hugh le Despenser, William Inge and others, of the castle and

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1 Fœdera, II, i, 16. Gavaston passed on this grant to his nephew, Bertrand Calhau. (C.Ch.W., pp.281-2.)

2 C.F.R., ii, 18.

3 V. infra, pp.198-209, passim.

4 C.Cl.R., 1307-13, p.65; Red Book of the Exch., i, lxxiii. The enrolment is followed by a memorandum that the charter was delivered to the Treasurer on the following 14 June, to be kept

honour of Knaresborough and the manors of Aldborough and Roecliffe in Yorkshire, together with all their appurtenant goods and chattels, if the king wished to have them.[1] Three days later, however, these places were again conferred on Gavaston,[2] who was at the same time granted the manor of Burstwick and the castle and manor of Skipton in Craven,[3] both in Yorkshire, the castle and honour of High Peak in Derbyshire,[4] the castle, manor and honour of Cockermouth in Cumberland, the manors of Torpel and Upton in Northamptonshire[5] and the castle of Carisbrooke in the Isle of Wight, all of which had belonged to Isabella of Fors, the late countess of Albemarle, and which were now in the hands of the Crown.[6]

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4 (contd.)
in the Exchequer. (cf. also I.R. 143,m.1.)

1 These manors were surrendered to the king himself in his chamber at Langley. (Parl. Writs,II,ii,app.14; C.Cl.R.,1307-13, pp.67-8.)

2 C.P.R.,1307-13,p.78.

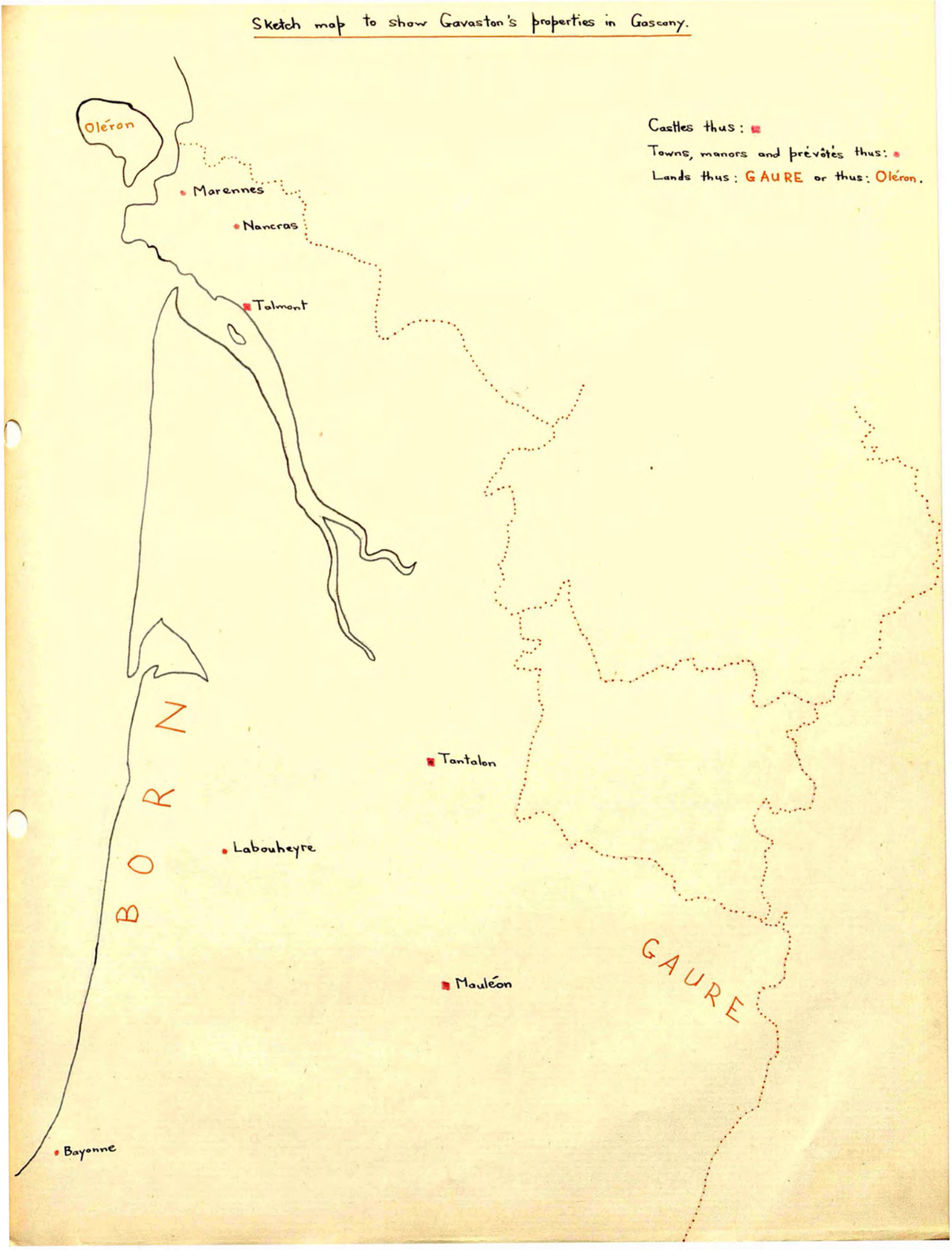
3 Skipton in Craven was at this time farmed to the earl of Lincoln. (L.T.R. Mem. Roll 78,m.2.)

4 By letters of 24 November, the barons of the Exchequer were ordered to acquit Clement de la Forde, who had been bailiff of High Peak since 4 October,1307, of his farm from 7 June,1308, on which day he delivered the castle and honour to Gavaston. (L.T.R. Mem. Roll 78,m.3, 79,m.31; K.R. Mem. Roll 82,m.100d.) Cf. C.Cl.R.,1307-13,p.163.

5 These two manors had originally been granted to the abbot and convent of Peterborough (K.R. Mem. Roll 82,m.29), who did not deliver them to Gavaston's attorney until 25 July, from which date the abbot was accounted quit of farm. (ibid.,m.56.)

6 Fœdera,II,i,48; C.Ch.R.,1300-26,p.111. As no mention is made in the charter of the grant's having included the lordship of the Isle of Wight, the V.C.H. Hampshire (p.222) infers that it remained with the Crown. Since, however, we find mention of the chace of Parkhurst, the manors of Thorley and

Sketch map to show Gavaston's properties in Gascony.



It was expressly stipulated in this last grant that Gavaston was to receive 3,000 marks per annum from these properties of Isabella of Fors: should there be any surplus over and above this sum, it was to be paid to the king and his heirs, who on their side undertook to make good any deficit on the amount stated. Similarly, Gavaston on the same day received a grant of lands in Gascony to the value of 3,000 marks yearly. A grant of lands in Gascony of the same annual value had already been made to him on 24 May,[1] but these lands were now exchanged for the county of Gaure, the castles of Talmont, Tantalon and Mauléon, the prévôtés of the district called 'la Contal' and of the city of Bayonne, the manor of Labouheyre, Born, Comtad, the salt-spring of Agen, the island of Oléron, and Marennes and Nancras in Saintonge.[2] Thus, in return for the Cornwall lands, Gavaston received lands in England and Gascony to the annual value of 6,000 marks or £4,000. Apparently Edward encountered no opposition from the baronage in the matter of Gavaston's exchanging Edmund's lands for others. According to the St Paul's annalist, Gavaston was made to deliver his charter of enfeoffment of the county of Cornwall, to the other earls, who immediately burnt it.[3] Though there is no truth in this story,[4]

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6 (contd.)
Brading, and the small holdings of Borthwood and Westridge, as belonging to Gavaston (C.P.R., 1307-13, p.103; C.Ch.R., 1300-26, p.127.), it seems probable that he also held the lordship of the island.

1
By this first grant, Gavaston had been given the county of Gaure and lands in Vianne, Castel Amouroux, Castel Contal, Castel Seignour, Frankeville, La Gruère, St Julien, St Pastour, Ste Foy, Miramont, Nicole, Monclar, Montflanquin, Monségur, Villeneuve, Puymirol, Valence, Montendre, Talmont, Tantalon,

taken in conjunction with the magnates' seeming apathy towards the king's other grants to his favourite, it confirms the belief that the nobility took umbrage at the bestowal on Gavaston of the earldom of Cornwall only because it was considered contra

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1 (contd.)
Puygilhem, the salt-spring of Agen called Bagnères, Boulogne, Dunes, Donzac, Mezin, Villéral, Mauléon, Labouheyre, Born, Brassenx, Elabord and Comtad. (C.P.R., 1307-13, p.74.)

2 Fœdera, II, i, 48, 49; C.P.R., 1307-13, p.78. This grant was for the period of Gavaston's life only, with reversion to the king at his death. Cf. C.Ch.W., p.273, where it is stated that the first charter was examined and corrected by the Chancellor and others of the council - hence the second charter.

3 Ann. Paul., i, 263.

4 Gavaston's first charter is in the Public Record Office - Ancient Deeds AA 460. It measures 1'5½" long by 2'3" wide and is beautifully engrossed. At the top centre appear the arms of England with the Clare arms on the right: to the left is a shield bearing the device of five eagles, two, two and one, which may be intended to represent Gavaston's arms, for which v. infra, p.197, note 1. The initial letter, 'E', is 4" long by 3½" wide and is ornamented with three similar shields. The writing is bordered by a series of ten Cornish choughs alternating with nine eagles, all with red beaks and legs. In the bottom right-hand corner appear the words: J. de Newehagh scripsit. A large portion of the Great Seal of England is still attached to the charter.

regiam coronam.[1]

Even these territories were not considered sufficient compensation for the lass of Cornwall and its appurtenant lands, for the following day, 10 June, Gavaston was again given the manors of Crookham and Leckhampstead,[2] which he had made over to the king on 19 May, together with a grant of free warren in all his demesne lands therein and in the manors of Byfleet and Pachesham.[3] He was not to enjoy the issues from any of the lands which were granted him in lieu of Cornwall, however, until 25 June, when his surrender of that county became operative.[4] There is no record of Gavaston's official surrender of Cornwall

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1 (cont.)
It is noteworthy, however, that this grant to Gavaston of the Albemarle lands bears a much less distinguished list of witnesses than that contained in his charter of 6 August, 1307: in place of seven earls, there are two, Gloucester and Richmond; the other witnesses were the Bishop of Chichester (the Chancellor), Hugh le Despenser, John of St John, Robert of Tony, John of Cromwell, Robert FitzPayn (steward of the household), William Inge and others. (C.R. 94, m.6.) This absence of great names is probably due partly to baronial apathy, partly to the fact that the other earls were not able to be present.

2 C.Ch.R., 1300-26, p.110; C.P.R., 1307-13, p.76.

3 C.Ch.R., 1300-26, p.110. These last two grants were witnessed by the Chancellor, the earl of Richmond, Hugh le Despenser, Robert of Tony, John of Sully, Robert FitzPayn (steward of the household), William Inge and others. (C.R. 94, m.6.) Later, on 10 December, 1309, Gavaston granted the manor of Pachesham in fee to Robert Darcy and Joan, his wife, this grant being confirmed by the king on 12 February, 1310. (C.P.R., 1307-13, p.209.)

4 The mandate to the Treasurer and barons of the Exchequer was dated 20 June. (L.T.R. Mem. Roll 78, m.66; K.R. Mem. Roll 81, m.33d.) In certain instances, however, Gavaston seems to have received the issues from the date of the grant: on 4 May, 1309, a mandate was made out, ordering the escheator beyond Trent to deliver to him and his wife the lands appurtenant to the castle of High Peak, which Christiana de Brus had held at her death, and to pay them the issues of these lands from 7 June, 1308. (C.Cl.R., 1307-13, p.108.) The revenues of Cockermouth were also

or of the other estates of earl Edmund which still remained to him, but they were certainly taken into the king's hand by the appointed day. The county of Cornwall itself seems to have been the last of Gavaston's own lands to be taken over,[1] though the lands of Thomas of Audley, which he, or rather his nephew, held in wardship, were not ordered to be resumed into the king's hand until 4 March, 1309.[2]

Gavaston's interest in those lands which he received in exchange for his original possessions, must have been solely pecuniary.[3] It is certain that he never visited his Gascon possessions, and it is to be doubted whether he could have visited those in England either. During Gavaston's absence in Ireland, his clerk, Roger of Wellesworth, acted as his attorney-general, with full power to receive seisin in his name of all lands and tenements in England which the king had bestowed on him and

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4 (contd.) paid to Gavaston from 7 June, 1308. (K.R. Mem. Roll, m.23d.)

1 It was committed to Thomas de la Hyde on 25 June, together with its appurtenances. (L.T.R. Mem. Roll 78, m.14d.) The castle, town and honour of Wallingford had already been delivered to John of Clinton of Makestock on 17 June, together with all lands and tenements of the honour of St Valery and the city of Chichester with its appurtenances, on condition of his accounting to the Exchequer for their revenues. (C.F.R., ii, 24.) On 1 January, 1309, the castle and town of Trematon and the manor of Moresk were farmed to Adam of Carleton for £100 yearly. (K.R. Mem. Roll 87, m.31d.)

2 C.Cl.R., 1307-13, p.99; cf. C.F.R., ii, 38. Thomas of Audley died about this time, and his brother and heir, Nicholas, was also a minor. For Gavaston's grant of the wardship to Bertrand Calhau, v. supra, p.108, note 1.

3 It is interesting to note that Gavaston received no income whatever from the Albemarle lands. (V. infra, p. 129 ; L.T.R. Mem. Roll 80, m.31d; K.R. Mem. Roll 83, m.16d.)

his wife and their heirs.[1] Roger seems to have served his master well and faithfully. It was apparently at his instance that the abbot of Peterborough was charged with having committed various usurpations and other transgressions in the manors of Torpel and Upton during the period in which he farmed them.[2] The institution of an enquiry to ascertain the names of the malefactors who had trespassed on Gavaston's free chace at Parkhurst and on his free warren there and at Thornley, Westridge and Borthwood, all in the Isle of Wight, is probably traceable to the same agency, though the complaint is noted as coming from Gavaston himself.[3] As well as being Gavaston's attorney, Roger was also entrusted, on 8 November, with the town and manor of Newport with its appurtenances.[4]

Gavaston's proctor and attorney in Gascony was his

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1 K.R. Mem. Roll 82,m.56.

2 Roger was summoned to give evidence against the abbot. (K.R. Mem. Roll 82,mm.56,80; L.T.R. Mem. Roll 79,mm.94,123; cf. ibid. 80,m.19, for a report of the case.)

3 Fœdera,11,i,67; C.P.R.,1307-13,p.103. The commission was given to John of Foxle and John of Bateford on 26 February, 1309: they were also to determine regarding those who had trespassed on the said free chaces and warrens before they were granted to Gavaston. (C.P.R.,1307-13,p.128.) This trespassing on Gavaston's property was probably due to no personal grudge against him. Trespassing was a common offence. In 1310, for example, Warwick's park was broken. (ibid.,p.309.)

4 L.T.R. Mem. Roll 79,m.5. On 13 November, Corsham was committed to George Percy at a yearly farm of £100, whilst the following day Watlington was similarly granted to John of Knokyn for £42. (K.R. Mem. Roll, 82,m.5.) Both George and John were Gavaston's yeomen. Cornwall had already, on 30 October, been delivered to his steward, Thomas de la Hyde. (L.T.R. Mem. Roll 79,m.4d.)

clerk, John of Marsan,[1] possibly a cousin or nephew of his, who also acted in that capacity for Gavaston's brother, Arnold William of Marsan, who, at the time of the making of the first charter endowing Peter with estates in Gascony, had himself been granted sufficient Gascon properties to enable him to receive knighthood.[2] From the tenor of the writs which the king sent to the constanle of Bordeaux, it seems that Arnold William had a joint interest in Peter's Gascon lands, for his name was coupled with that of his more celebrated brother and the grant was made out to both of them for life.[3] As late as 1 December, 1308, however, they were still waiting to be paid the issues of these estates.[4]

Beyond these writs, nothing is known of the administration of Gavaston's lands in Gascony. In England, however, not only does the administration of his estates seem to have been carried on smoothly,[5] but further favours were granted him,[6] of

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1 Fœdera, II, i, 63.

2 C.P.R., 1307-13, p.74.

3 These first writs are dated 27 November. (Fœdera, II, i, 63; Carte, ii, 36.)

4 Fœdera, II, i, 64.

5 Apart from the trespasses committed at Torpel and Upton and in the Isle of Wight, the only matter which may seriously have troubled Roger of Wellesworth was the attempt by Gerard Salvayn, escheator beyond Trent, to resume into the king's hand the lands which Everard Fauvel held of the honour of Skipton in Craven on the day of his death. (C.Cl.R., 1307-13, p.74.)

6 On 5 April, 1309, Gavaston received a grant of a weekly ~~fair~~ market and yearly ~~market~~ fair at Brading, Isle of Wight: this grant was witnessed by the chancellor, the earl of Lincoln, Hugh le Despenser, Robert FitzWalter, John of Sudleye, William of Montague and others, but was vacated because restored and cancelled. (C.Ch.R, 1300-26, p.127; C.R. 95, m.7; but cf. C.Cl.R., 1307-13, p.251 for the proclamation of the fair.) Then on 8 May, he was given twelve oaks out of the royal forest of High Peak to repair the mills of his castle there. (C.Cl.R., 1307-13, p.110.) A week

which the most important was the grant of the manor of Wroxall in the Isle of Wight.[1]

The fact that immediately on his return from Ireland, Gavaston quit-claimed these lands to the king in return for the county of Cornwall, together with most of the other properties which had belonged to the late earl, is sufficient proof that they were never regarded as other than temporary compensation for the loss of what both he and the king regarded as his own lands. For this attitude on the part of ~~XXXX~~ monarch and favourite, no further justification was needed other than the fact that Gavaston, though deprived of the county, nevertheless retained the title of 'earl of Cornwall,'[2] which, as has been noted above,[3] had been conferred on him by a separate act. Hence the official regrant of the county of Cornwall was a natural consequence of Gavaston's return to England. This took place on 5

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6 (contd.)
later, on 15 May, he was granted the custody of the lands and tenements of four tenants-in-chief, who held of the king in Skipton in Craven and Burstwick, and who had died before the grant to Gavaston of the castle and manor. (Foedera, ll,i,73; C.P.R., 1307-13, p.114.) Finally, on 5 June, the grant of a weekly ~~faire~~ and yearly ~~market~~ fair at Torpel was made to him, this being witnessed by the Chancellor, the earl of Lincoln, the earl of Hereford and Essex, Hugh le Despenser, Henry of Percy, Robert FitzWalter, Robert of Clifford and others. (C.Ch.R., 1300-26, p.127; C.R. 95, m.7.)

1 On 10 June, 1309. The grant was witnessed by the Chancellor, the earl of Lincoln, the earl of Hereford and Essex, Hugh le Despenser, Henry of Percy, Robert FitzWalter, Robert of Clifford and others. (C.Ch.R., 1300-26, p.129; C.R. 95, m.4.)

2 There is no doubt on this point. In all official documents, both English and Irish, for the period of Gavaston's exile, he is referred to as 'earl of Cornwall.' Strangely enough, however, the title is omitted from all memoranda relating to Gavaston in the Memoranda Rolls for this year. (L.T.R. Mem. Roll 79, K.R. Mem. Roll 82, passim.) In view of this undoubtedly

August, 1309, the magnates having previously given their assent in the Parliament of Stamford.[1] Certain of the magnates (according to the canon of Bridlington, those who were absent from the Parliament[2]) seem to have withheld their consent,[3] but the opposition was divided.[4] Accordingly the charter confirming the exchange of Gavaston's lands was witnessed by the Bishops of Durham, Chichester, London and Worcester, and the earls of Gloucester, Lincoln, Surrey, Pembroke, Hereford and Essex and Warwick, together with Hugh le Despenser, Henry Percy, Robert FitzPayn (steward of the household) and others.[5] By this exchange, Gavaston quit-claimed to the crown the Albemarle lands which he held,[6] and received in return his inheritance of Corn-

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2 (contd.)
intentional omission, it seems that some doubt existed even in the minds of Gavaston's contemporaries as to whether he should still be styled 'earl,' after having been deprived of the county. An entry in Exch. K.R. Accts 325/4, m.1 for the first year of the reign bears out this supposition, for here Gavaston is definitely referred to as quondam comitis Cornubie. It is possible that we have here the origin of the Malmesbury chronicler's apparently far-fetched story that the king was so fond of Gavaston that he went to the length of publishing a decree that no one should call him by his own name, Peter of Gavaston, but always earl of Cornwall. (ii, 157.)

1 Ann. Melsa, ii, 327. The Lanercost Chronicle (p.213) wrongly gives the Parliament as that of Northampton.

2 ii, 35. It is here stated that the absentees suffered Gavaston's restoration with very ill grace and became incensed against him on that account. Ann. Lond. (i, 157) states that some of the barons agreed to his recall.

3 The Malmesbury writer is wrong in stating (ii, 160) that Warwick held out; it is Lancaster's name that is absent from the list of witnesses to the charter.

4 Ibid.

5 H.Hall, Red Book of the Exchequer, (R.S. 1896), i, lxxviii-lxxix; C.Ch.R., 1300-26, p.131; C.Cl.R., 1307-13, pp.225-6. Some of the chroniclers think that the magnates assented to Gava-

wall,[1] with the further addition of the manors of Knaresborough, Roecliffe and Aldborough, which he had already quit-claimed to the Crown on 26 July.[2] Included in this charter, too, were the reversions of the shrievalty of Rutland, which belonged to Margaret, earl Edmund's widow, together with the lands which she held in dower,[3] and of the manors of Mere, Berkhamsted and Princes Risborough, which Queen Margaret held in dower.[4] The reversion of the lands which Bartholomew of Kent held in Haughton

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5 (contd.) ston's reinstation in the hope that he had learnt his lesson and would mend his ways in future. (Ann. Lond., i, 157; Gesta Edw., ii, 35.)

6 Orders to the sheriffs to resume these lands into the king's hand were not made out until 26 August. (C.F.R., ii, 48.) John of Gras, the sheriff of York, was unable to comply with these orders in respect of the manor of Burstwick until 3 October. (C.P.R., 1307-13, p.384; but cf. K.R. Mem. Roll 85, m.8 & L.T.R. Mem. Roll 82, m.9, where it is stated that he took it into the king's hand on 24 September.) This quit-claim, together with those in respect of Knaresborough, Aldborough and Roecliffe, and of Gavaston's Gascon possessions, was lodged at the Exchequer in a leather case embossed with an eagle. (F.T.Palgrave, Antient Kalendars and Inventories, i, 51.)

1 An exception was made of the manor of Beckley, which had been granted to Hugh le Despenser on 29 June, 1308. (C.Ch.R., 1300-26, p.119.)

2 Red Book of the Exch., i, lxxviii. The sheriff of York received orders to take them into the king's hand by letters dated 27 July. (C.F.R., ii, 47.)

3 A mandate dated 5 August was sent to Margaret, ordering her to render fealty to Gavaston and his wife for the lands which she held in dower in Rutland. (C.P.R., 1307-13, p.187.) Margaret held the shrievalty of Rutland for life: at first Ralph de Bello Fago was her attorney in that office, his successor being Gilbert of Holm. (L.T.R. Mem. Roll 78, m.45, 83, m.28d; K.R. Mem. Roll 84, m.72d.)

4 This charter definitely deprived Queen Margaret of the rent which the abbot of Hailes paid for the manor of Lechlade.

was also included.[1] On 4 August, Gavaston had surrendered to the king his Gascon possessions.[2] The following day the lands appurtenant to the earldom of Cornwall were delivered to him,[3] and his connection with these compensatory lands both in England[4] and Gascony,[5] ceased for ever.

From now until his final deprivation and exile on 1 November, 1311, Gavaston's position as a land-owner remained essentially unchanged, for the fresh grants of territory which were made him from time to time were of minor significance compared with those which he already had. The most important of

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1 This last reversion was confirmed by letters patent on 28 August, 1309. (Fœdera, II, i, 86; C.P.R., 1307-13, p.187.)

2 C.Cl.R., 1307-13, p.225. The enrolment is followed by a memorandum that the deed of surrender was ~~KK~~ delivered to the king in person by Gavaston himself in the house of the Friars Preachers at Stamford, and was handed over by the king to be enrolled and then committed to Ingelard of Warley to keep in the Wardrobe. There is also a note that Gavaston's charters relating to these lands were not restored then. (cf. C.Cl.R., 1307-13, pp.225-6.) In the Red Book of the Exchequer (p.lxxvii), it is further recorded that this quit-claim, together with those of 26 July and 5 August, was handed over to Peter of Blound, the chamberlain of the Exchequer, on 5 February, 1310, to be kept in the Exchequer.

3 Mandates in pursuance to Gavaston's charter of 5 August were made out on the same day, addressed to the sheriffs and other officers concerned, and to the abbot of Hailes, concerning his annual rent of £100 for the manor of Lecklade (C.Cl.R., 1307-13, p.171; C.P.R., 1307-13, pp.186, 187), and the farmers of the manors in question were discharged from their farms from that date. (C.Cl.R., 1307-13, pp.190, 214; L.T.R. Mem. Roll 80, mm.45d, 57d, 60d; K.R. Mem. Roll 83, m.31d & cf. mm.20, 20d.)

4 Of the Albemarle lands which now reverted to the Crown, the manors of Torpel and Upton were ordered to be delivered, by letters dated 8 September, 1309, to the king's clerk, Ralph of Stokes, who had previously held them of Gavaston. (C.F.R., ii, 49), but on 2 December, they were again granted to the abbot and convent of Peterborough (O.R. 70, m.6): finally they were farmed to the earl of Surrey for £100 a year, High Peak also being granted to him. (C.F.R., ii, 63, 64, 71, 140; cf. C.P.R., 1307-

these grants seems to have been that of the custody of the lands and tenements of the late John Wake, during the minority of his son and heir, Thomas,[1] but as Gavaston surrendered them to the king again less than two months later,[2] it is doubtful whether he obtained any material benefit from the gift. Possibly the grant never became operative, though Gavaston is referred to as having "surrendered custody" of all lands held by Joan, widow of John Wake.[3] The only other territorial grants which he received were of the town of Penrith with its appurtenant manors[4] and the manor of Wark in Tyndale.[5] Both these later acquisitions were the first to be surrendered to the king after Gavaston's deprivation was decreed.[6] On 20 September, 1310,

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4 (contd.)
13, pp.283, 341.) The castle of Skipton was granted to the earl of Lincoln on 14 September, 1309, at a yearly rent of £200, but on the following 19 March, it went to Robert of Clifford. (C.F.R., ii, 49; C.P.R., 1307-13, p.220.) The custody of the manor of Burstwick was committed to William of Vaux on 7 September, 1310, to William of Malghun, on 9 October, 1311, and to Edmund of Mauley, on 12 December, 1311. (C.F.R., ii, 71, 104, 106, 117.)

5 The mandate to the seneschal of Gascony, ordering the resumption of these lands into the king's hand, was also dated 5 August. (C.F.R., ii, 47.)

1 C.P.R., 1307-13, p.196.

2 C.F.R., ii, 53. Gavaston received the grant on 26 October and surrendered it on 15 December. On 4 March, 1311, John Wake's lands were granted to Queen Isabella. (C.P.R., 1307-13, p.330.)

3 Ibid., pp.218-9; cf. C.Cl.R., 1307-13, p.545.

4 C.F.R., ii, 76. This grant was for the period of Gavaston's life only. It was made out on 10 December, 1310.

5 C.Ch.R., 1300-26, p.181; C.Ch.R., (various), p.102; Cal. Doc. Scot., iii, 44. This grant was dated 28 May, 1311. It was made out to Gavaston and his wife and their lawful heirs, and was witnessed by the Bishop of Worcester, the earl of Surrey,

the custody of Nottingham castle was granted to Gavaston, but this was a grant for his life only.[1]

Gavaston ~~XXXX~~ received various other grants about this time which may also be regarded as territorial. On 14 November, 1309, he and his wife were granted the ancient prisage of wines in the ports of Dartmouth and Exmouth and in the pools of Esh and Sutton.[2] The following 27 February, Gavaston was given license for life to hunt in the king's forests and parks and to fish in his pools.[3] Then on 12 July, he and Margaret received a grant of free warren in all their lands in Cornwall, Devonshire, Essex, Berkshire and Yorkshire.[4] A similar grant of various liberties in the manor and honour of Knaresborough was made them on 16 August,[5] this being renewed and made more detail-

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5 (contd.)
Henry of Percy, Robert of Clifford, William of Ros of Hamelake, Payn Tybotot, Edmund of Mauley (steward of the household) and others. (C.R. 97,m.1.)

6 On 12 October,1311, Wark in Tyndale, together with Penrith and its appurtenant manor of Sowerby, were granted to Robert of Barton. (C.F.R.,ii,106.)

1 Foedera,11,i,116; C.P.R.,1307-13,p.315.

2 Foedera,11,i,98; C.P.R.,1307-13,p.200. The prisage consisted of two casks for each shipload of wine, for each cask of which Peter and Margaret were to pay twenty shillings to the merchants. (ibid.,p.358.) Cf. also C.Ch.W.,p.366. In accordance with the Ordinances, this grant was revoked on 10 October, 1311. (C.Ch.R., Various,p.104.)

3 C.P.R.,1307-13,p.211.

4 C.Ch.R.,1300-26,p.138. This was witnessed by the Bishops of Durham, Worcester and Bath and Wells, the earls of Gloucester, Surrey and Richmond, Robert of Clifford, John of Cromwell, Robert FitzPayn (steward of the household) and others. (C.R. 97,m.22.)

5 C.Ch.R.,1300-26,pp.39,140. The witnesses were the Archbishop

ed and extensive on 30 November.[1]

Gavaston went into exile again on 4 November, 1311,[2] but orders were not made out for the resumption of his lands into the king's hand until the 30th of that month.[3] Probably Thomas de la Hyde, steward of Cornwall, had already received orders, dated 23 November, to levy all the money he could from the lands of the earldom of Cornwall in his custody as soon as possible,[4] and to deliver it to the king by the agency of Edmund Hakelut, Gavaston's steward, whom the king was sending specially to collect it.[5]

Shortly after Christmas, Gavaston returned again, and proclamation of his official restoration was made on 18 January, 1312.[6] Presumably his restoration was immediately followed by the delivery to him of the county of Cornwall, for man-

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5 (contd.) of York, the Bishop of Worcester, the earls of Gloucester and Surrey, Henry of Percy, John of Cromwell, Robert FitzPayn (steward of the household) and others. (C.R. 97,m.21.)

1 C.Ch.R., 1300-26, p.140.

2 Ann.Lond., i, 202.

3 C.F.R., ii, 117.

4 It is not evident what became of this money. Possibly it was given to Gavaston, for whom on this occasion no provision was made either in income or in lands, but there is no record of this.

5 C.Cl.R., 1307-13, p.382.

6 Fœdera, II, i, 153; C.Cl.R., 1307-13, pp.448-9; Ann. Lond., i, 203.

dates ordering the delivery to him of his other lands were not made out until 10 and 24 February.[1] Of previous favours, the marriage of Thomas, son and heir of John Wake, was re-granted to him,[2] together with the wardship of the lands of Nicholas of Audley, a minor in the king's custody,[3] and the custody of Nottingham castle.[4] By far the most important of the grants made to him at this time, however, were those of the custody of the castle of Scarborough and Carlisle, which were committed to him on 31 March.[5] By entrusting these two castle to Gavaston's charge, it seems that Edward was trying to give him a choice of sanctuary in the north.

After Gavaston's capture and execution, all his lands reverted to the Crown, in the hands of which the greater part remained[6] until the creation of Edward II's brother, John

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1 Fœdera, II, i, 156; C.P.R., 1307-13, p.429 (for the mandates of 10 February, which ordered the delivery to him of the honour of Wallingford); Fœdera, II, i, 157; C.Cl.R., 1307-13, p.405 (for those of 24 February, which ordered the delivery to him of the manors of Corsham, Newport and Watlington, together with his houses in London.).

2 On 2 March. (Fœdera, II, i, 158; C.P.R., 1307-13, p.434.)

3 Before 12 March. (C.Cl.R., 1307-13, p.410.)

4 On 3 April. (C.F.R., ii, 130.) In O.R. 72, m.16, it is stated that John of Segrave, in whose custody the castle had been before its previous commission to Gavaston, had resigned office in return for a certain sum of money paid him by Gavaston.

5 C.F.R., ii, 129.

6 On 18 July, all Gavaston's lands and tenements in Cornwall and Devon were committed to John of Bedewynde, with the exception of the castle and town of Tintagel, which were granted to Thomas le Ercedekne on 26 July. (ibid., p.139.) Apparently John encountered some opposition from the sheriff of Devon, who delayed delivery to him of certain of Gavaston's lands in that county, for on 28 August, a mandate was made out to the

of Eltham, as earl of Cornwall in October, 1328. Certain lands, however, were allowed to Gavaston's widow, Margaret.[1]

From this survey of Gavaston's possessions it is clear that there must have been few places in England to which his power did not penetrate at some time or other. It is equally clear, however, that his position in the country could never have been very strong, for his ownership of much of this territory was only temporary. Those lands, for example, which longest acknowledged him as lord, the county of Cornwall and its appurtenant estates, did so for only three years and even then with a lengthy gap between the first and second. Gavaston could obviously never have had time, if, indeed, he had the opportunity, to supervise the administration of his estates, and his sporadic ownership of various parcels of land scattered about the kingdom precluded the growth of any feeling of organic entity on the part of his officials and tenants. True, earl Edmund's estates had formed an administrative whole with Berkhamsted castle as the seat of the executive, but their administrative tradition[2] must have been considerably weakened by the fact that Berkhamsted honour was part of the dower of Queen Marg-

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6 (contd.)
sheriff, specifically ordering the surrender to John of the lands in question. (C.Cl.R., 1307-13, p.476.) On 13 January, 1313, the custody of Gavaston's lands in Cornwall and Devon was committed to Thomas le Ercedekne (Fœdera, II, i, 195; C.F.R., ii, 161), who was later ordered, by letters of 20 November, 1314, to hand over those in Cornwall to Richard of Polhampton. (ibid., p.221.) He in turn was deprived of them in favour of Richard of Hewissh, on 4 November, 1315. (ibid., p.262)

1 For Margaret's lands, v. infra, pp. 345-7.

2 The Cornwall lands were held by the Crown for seven years after

aret.[1] Gavaston's contemporaries evidently regarded his tenancy of Cornwall as a mere interlude. In later accounts for that County which were presented to the Exchequer, the name of earl Edmund is frequently mentioned and his charters often cited - even earl Richard's name is occasionally found - but Gavaston's name is conspicuously absent.[2] The lack of organisation from which Gavaston's lands must have suffered possibly explains in part why there are so few accounts for his manors in existence. This absence of manorial accounts and the fact that there was no inquisition after his death,[3] are a great hindrance to the study of Gavaston's position as a land-owner. It is correspondingly difficult to know what lands Gavaston held,[4] and impossible, as will be shown in the next section, to estimate his income correctly.

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2 (contd.)
Edmund's death, but this seems no valid reason why they should not have preserved their administrative tradition.

1 Berkhamsted castle was granted to Gavaston on 16 March, 1308, but it never seems to have become as important in Gavaston's time as it had been in earl Edmund's.

2 Cornwall and its appurtenances were afterwards referred to as the lands 'late of Edmund, earl of Cornwall.' (P.R. 160, mm.45, 47; cf. K.R. Mem. Roll 87, m.134 for the audit of Edmund Bacon's account from 10 December, 1311 to 29 September, 1313, for the castle and honour of Wallingford and the honour of St Valery with their appurtenances, all 'late of Edmund, earl of Cornwall.'

3 There is a mandate dated 10 June, 1313, by which the Treasurer and barons of the Exchequer were ordered to make a search of Domesday Book and other Exchequer rolls and memoranda for the extents of earl Edmund's lands which were made after his death, since these lands and tenements still had the same annual value. This was to serve instead of an inquisition. (K.R. Mem. Roll, 86, m.42.)

4 But for the fact that Gavaston was granted free warren in his

(ii) As a magnate.

Gavaston's position as a magnate can be examined from three angles; his financial position, the local administration of his estates and the constitution of his household. Investigation of all three aspects is, however, greatly handicapped by the entire loss of his household accounts and the almost entire loss of those relating to his manors.[1]

The administrative centre of earl Edmund's domains had been at Berkhamsted, where he had had his wardrobe and exchequer,[2] but as Berkhamsted was held in dower by Queen Margaret,[3] Gavaston transferred his executive to Wallingford, which accordingly became his seat of government. An item in a bill of expenses

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4 (contd.) demesne lands in Byfleet and Pachesham, for example (C.Ch.R., 1300-26, p.110), it would not be known that these manors belonged to him. It is not known either how he came to possess houses in London. (C.F.R., ii, 117).

1 Except for the bare mention that the king has granted the manor of Skipton to Gavaston (E.R. 3/12, m.1), there is no mention of Gavaston's possessions in the Escheators' Rolls either. Nor are the Pipe Rolls of much use.

2 Miss L.M.Midgley, M.A., was my informant here.

3 V. supra, p.124 and p.125, note 1. Margaret's dower was confirmed to her on 19 March, 1310 (C.P.R., 1307-13, pp.217-8), so Gavaston could have held Berkhamsted Castle for only a few months.

for works at Wallingford castle during Gavaston's absence in Ireland,[1] proves conclusively that Gavaston had his wardrobe and exchequer there, but little has survived to illustrate their workings. All that we know for certain is that the view of account took place on the last day of February and that the auditing clerk received an annual wage of 6s.8d.[2] It is safe to assume, however, that both exchequer and wardrobe were run on the same lines as those of Edmund.[3]

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1 Exch. K.R. Accts 489/30,m.6. £12.16s.7½d. was spent in various building operations connected with the great hall, the chamber, the wardrobe, the kitchen, the saucery, the scullery and the constable's house, and a further £1.4s.1d. in roofing the walls adjacent to the exchequer and the wardrobe. In all, the account contains nine membranes and includes an account from 17 June to 29 September,1308. Other items comprise the cost of repairs to the outside wall (£14.9s.3¼d.) and to the bridge and stables (5s.8½d.); the cost of works on the chapel, the king's chamber and the turret (£3.5s.3½d.); the cost of building a mill (£10. 2s.10d.), of making a sluice for it (£5.7s.11¼d.) and of making further additions to it (£8.0s.3¼d.). Wages accounted for £9.3s.6d. The sum total for the entire roll, from 7 June,1308 to 5 August,1309, amounts to £129.9s.1¼d.

2 This appears from entries on m.9 of the roll. Various expenses in connection with the exchequer amounted to 10s.5½d., this including 2s. for an ell of cloth, 3½d. for an ell of net for making sacks to carry the king's money, 11 paniers in which to transport the money to London, 6d. for parchment for the account for the year and 6s.8d. for the wages of the clerk of the audit. There were also repairs to the wood-work of the exchequer, the constable's chamber and the hall of pleas, of which last the bar and the bench had also to be repaired. It seems evident from this account that Wallingford must have been the administrative centre of Gavaston's lands, and that the king, during the time that these lands were in his hand, was making use of the financial machinery which he found there.

3 There was probably very little differentiation between the various seignorial households at this time; they were all reproductions in miniature of the royal administration. The administration of the Fortibus, Bigod and Clare households in the late thirteenth century is fully discussed by N.Denholm-Young (Seignorial Administration in England, (1937), passim): Gavaston's household was probably very similar.

The loss of Gavaston's accounts makes it difficult to estimate his income. It must, however, have amounted to more than £4,000 a year, for land to that annual value was granted him in compensation when he was deprived of the Cornwall lands.[1] Apart from his lands, the issues of which would vary from year to year, Gavaston also drew a small fixed income from the money grants which the king gave him, such being the yearly income of £5 which he received out of the £50 rent from Queenhithe[2] and the annual rent of £46.14s.8d. which earl Edmund's widow had been wont to pay the king.[3] He was also granted the £100 rent which the abbot of Hailes paid annually for the manor of Lechlade,[4] but was later deprived of this.[5]

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1 V. supra, p.110. Little evidence has survived to show how far these lands justified the expectation that they would bring in £4,000 per annum. There are apparently no accounts at all for Gavaston's Gascon possessions, whilst for the Albemarle lands the only accounts for this period which have survived, are for the Isle of Wight and Burstwick in Holderness. (M.A. 985/8, 1080/2,3,4,5,12) As, however, Gavaston received nothing from the Albemarle lands during his exile in Ireland, the question of their annual value hardly arises.

2 Cal. Letter Books, C.66; C.P.R., 1307-13, p.187; cf. Liber Albus, p.535.

3 This being the amount by which her manors of Kenton, Heavitree, Week and South Teign, assigned her by Edward 1, exceeded her dower of £100. (Fœdera, 11, i, 103; C.P.R., 1307-13, p.208; cf. L.T.R. Mem. Roll 80, m.42; K.R. Mem. Roll 83, m.20.)

4 C.Cl.R., 1307-13, p.183.

5 It was confirmed to the queen-mother as part of her dower on 19 March, 1310 (C.P.R., 1307-13, pp.217-8), though seemingly Gavaston continued to receive it; there is a mandate dated 23 October, 1310, ordering the Treasurer and barons of the Exchequer to acquit the abbot of this rent, as the king had granted Lechlade to Gavaston on 6 August, 1307. (L.T.R. Mem. Roll 81, m.19; K.R. Mem. Roll 84, m.12) Apparently Margaret must have complained about this, for on 12 December, the rent was again specifically confirmed to her. (C.Cl.R., 1307-13, p.291.)

A further hindrance to the study of Gavaston's financial position is the fact that much of his wealth was at certain periods more apparent than real. During his exile in Ireland, for example, he received nothing whatever from the Albemarle lands.[1] Possibly he received some return from his Gascon properties during this time, but we have no evidence of this. Gavaston's loss of income during the year 1308-9 shows that he must have amassed a considerable fortune by this time, for during his lieutenancy in Ireland he must have supported himself and his household out of his capital. Further evidence of his great wealth is shown by his loan of £1,086.18s.5½d. to a city merchant.[2]

It follows that Gavaston's estates must have been competently administered for them to have yielded so handsome a revenue. The annual value of the county of Cornwall in fact shows an increase of over £700 from the time when it belonged to earl Edmund, Gavaston's income from it being approximately £1,950 to Edmund's £1,250.[3] This may probably be accounted for

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1 This appears from a writ dated 13 February, 1310, addressed to the Treasurer and barons of the Exchequer, in which the king states that he has heard that during Gavaston's deprivation of the Cornwall lands, they not only collected the revenues from those lands, but also kept for the king's use those from the lands allowed him in compensation. This writ therefore orders the payment to Gavaston of the revenues and farms from the Cornwall lands for the term in question. (L.T.R. Mem. Roll 80, m.31d; K.R. Mem. Roll 83, m.16d.) This seems to show that Cornwall and its appurtenances was more valuable than the compensatory lands granted to Gavaston.

2 L.T.R. Mem. Roll 81, m.84; K.R. Mem. Roll 84, m.47.

3 According to the inquisition after Edmund's death, the annual value of Cornwall was about £1250. (C.Inq.p.m., iii, 458) The account of Thomas de la Hyde, steward of Cornwall, shows that the revenues of the county were £869.9s.9½d. from 25 June to

merely by the natural improvements which had taken place during the intervening years: there is every likelihood that there was a corresponding increase of revenue from the rest of the Cornwall lands, but, since the accounts for these manors have almost all disappeared, this cannot be proved. Only two manorial accounts of Gavaston's appear to be extant.[1] These are both for the manor of Byfleet and cover the period 7 January, 1310 to 30 September, 1311. Neither is a very full account. It is certain, however, that Byfleet was a moderately rich manor. The receipts for the period total £149.12s.2d., but this includes £35 given to the sergeant of the manor by Roger of Wellesworth and £20 given him by Walter of London.[2] In any case, it is impossible to deduce much from such inadequate material.

The other manorial accounts which survive for this period are all royal. From them it appears that from 1 November, 1311 to 29 September, 1312, the manor of Wilton produced only £2.12s.[3], whilst the revenues from Penrith and Sowerby on the other hand totalled £556.15s.4d. from 29 September, 1307 to 8 May,

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3 (contd.)
29 September, 1308, and £1,282.3s.6¾d. from 29 September, 1308 to 5 August, 1309, that is roughly £1,950 a year. (P.R. 154, mm.44,45.) When Cornwall belonged to Gavaston, the farm of the county was £262.7s. (ibid.,m.10) The accounts given in the Pipe Roll, incidentally, do not correspond exactly with the original accounts of Thomas de la Hyde, which, for the above dates, are £927.0s.10d. (of which £695.5s.9d. was from the stannaries) and £1,140.19s.0½d. (£694being from the stannaries), respectively. (M.A. 811/9,10.) Thomas's account for the time during which he was keeper of Cornwall after Gavaston's death, i.e. from 20 June to 25 July, 1312, is not summed (M.A. 811/11), but from other sources we learn that the issues amounted to £1,000 marks. (C.P.R., 1307-13, p.488; cf. C.Cl.R., 1307-13, p.465) This exceptionally large amount probably included arrears, however.

1 M.A. 1011/1,2.

1310[1] and 200 marks (£133.6s.8d.) from 30 November, 1311 to 1 February, 1312.[2] The honours of Wallingford and St Valery with their appurtenances seem to have been little more than self-supporting,[3] but Knaresborough yielded a profit of £205.8s.5½d. from 20 June to 30 September, 1312.[4]

Nothing conclusive can be drawn from such meagre sources. All that can safely be remarked is that any enhancement of the value of Gavaston's lands is attributable to no merit on his part, for he probably concerned himself little with local administration.[5] If anything, Gavaston probably proved

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2 (contd.)
This £20 was given to the sergeant in the Tower of London. The receipts include £2 received from the sale of wood and twigs from certain oak trees given to Gavaston in the park at Guildford and at Bisham (M.A. 1011/2, m.1). The expenses contain one item of £12.3s.10d. for building a wardrobe on the king's chamber (ibid., m.2). Evidently Byfleet, though in private hands, still preserved its royal associations.

3 (contd.)
E.R. 1/23, m.18.

1 M.A. 824/28, 29.

2 C.P.R., 1307-13, p.416. Apparently this was not the sum total of the issues due from these two manors, for on the very day that the reeves were acquitted of this amount (1 February, 1312), Robert of Barton, king's clerk, was appointed to compel them to render an account, which he was to audit and after which he was to send the king any money he was able to levy. (ibid., loc. cit.)

3 They yielded £82.1s.3d. from 17 June to 29 September, 1308, whilst the expenses amounted to £77.9s.2½d. (M.A. 1096/1). From 29 September, 1308 to 5 August, 1309, however, their issues totalled £198.1s.5½d., exclusive of the hay from 40 acres of meadow, which remained in the castle and was delivered by indenture to Gavaston's attorney. (M.A. 1096/2). Cf. also P.R. 154, m.49 for both accounts.

4 M.A. 1085/6; P.R. 160, m.46. This account mentions a charter of Gavaston. (M.A. 1085/6, m.1d.)

5 At most Gavaston seems to have visited Cornwall only once or

rather a hindrance to his officials, for his prolonged absences abroad could not have been conducive to the smooth working of his executive. There are certainly indications that Gavaston's affairs were not in a very satisfactory condition after his return from his final exile. In the first place, by a mandate dated 16 December, 1312, Thomas de la Hyde, was empowered to levy for the king's use all the debts due to the king in Cornwall for the period during which he had been Gavaston's steward, the collection of which Gavaston had apparently neglected.[1] Again, there is the evidence offered by the appointment, on 26 March, 1312, of John of Bedewynde and Roger of Wateville with thirty-one others to help Gavaston in the administration of his affairs, as he should direct, and to answer to him for the revenues of his lands.[2]

With Gavaston for the most part an absentee landlord, the responsibility for the administration of his estates devolved almost entirely on his officials. Unfortunately we

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5 (contd.) twice. He was certainly there in September, 1307. (Exch. K.R. Accts 373/15, f.24) It is also alleged by the Malmesbury chronicler that he hid in Tintagel castle for a short time after his return from exile at the beginning of 1312, but there is no record evidence of this. (ii, 174)

1 C.F.R., ii, 156.

2 Parl. Writs, II, ii, app. 49; C.Cl.R., 1307-13, p. 457.

know the names of very few of them, but in all probability they were in most instances the same men who had administered these lands for the crown. In some cases we know definitely that this was so. Thomas de la Hyde, Gavaston's steward of Cornwall and his deputy as sheriff,[1] had been in charge of that county when it had been in the king's hand. Similarly, William of Roding, Gavaston's sergeant at Byfleet, became the royal bailiff there when the manor reverted to the crown, so had presumably acted in that same capacity before the grant of the manor to Gavaston.[2] The only other two of Gavaston's local officials whose names are known, William of Watlington, Gavaston's attorney at Wallingford,[3] and Harry of Boys, the bailiff of Dearham,[4] may have been either crown officials continuing in office or Gavaston's own nominees. Gavaston also seems to have made use of his wife's officials, at any rate at Burstwick.[5]

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1 L.T.R. Mem. Roll 78,m.29, 80,m.41d. Thomas's fee as steward of Cornwall was £60 per annum. (P.R. 154,m.44.)

2 M.A. 1011/1,2; C.P.R.,1307-13,p.487)

3 P.R. 154,m.49.

4 Selden Soc. Year Books, 6 Edw. 11,pp.49-53.

5 Though Burstwick and its contents were apparently delivered to Gavaston's attorney (M.A. 1080/12,m.18d.), it was the countess's bailiff, Walter of Gonsal, who handed them back to the king again. (ibid.,m.27d.)

It is not difficult to form a picture of the central and local administration of Gavaston's lands. We know by analogy that his chancery would have been modelled on the king's chancery,[1] his exchequer on the king's exchequer, and his seignorial courts on the king's courts. In short, the workings of his lands would have represented in microcosm the administration of the kingdom. But particular instances of these workings are few. It is correspondingly difficult to say whether Gavaston was a good landlord. On the whole, he and his stewards seem to have done what would normally be expected. On the death of Richard Crok on 21 June, 1310, for example, Gavaston took his lands into his hand and sold the wardship and the marriage of the heir to Iseult, Richard's widow.[2] Again, on the death of Walter of Alete, Gavaston's steward seized his lands into Gavaston's hand.[3] The case of Roger of Gringley is rather different. Gavaston seized into his hand the tenements which Roger had acquired to be held of the priory of Newstead in Sherwood, on the grounds that Roger was a villein. However, Gavaston afterwards rented these tenements to Roger to be held at his will and by doing the required service to the priory, so apparently all was well.[4] At any rate, Roger does not seem to

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1 There is mention of a charter of Gavaston in M.A. 1085/6, m.1d.

2 Richard held his lands of the honour of Wallingford by the service of a twelfth part of a knight's fee. (C. Inq. p.m., v, 272)

3 Ibid., v, 101.

4 Ibid., v, 435.

have complained of the treatment he received. Occasionally, however, such complaints were made. On 7 January, 1309, for example, the justices of assize tried a case of novel disseisin against Gavaston at Reading. The plaintiff, Herbert FitzJohn, alleged that Gavaston and his wife, together with John Fitz-Reginald, Ralph of Todmarsh, William Atte Waye, William of Watchington, Robert of Maners and his wife, Christina, disseised him of the manors of Crookham and Leckhampstead.[1] Nobody appeared except Robert and Christina, presumably Gavaston's new tenants, who had been arrested. William of Watlington, however, replied for the Gavastons and the others concerned, presumably Gavaston's bailiffs, and produced writs from the king ordering the postponement of the assize, on the grounds that the manors in question had been granted to Gavaston and his wife and that the assize therefore concerned the king.[2] This is the only example I have found of a case against Gavaston himself.[3] Later in the reign, however, Harry of Boys, the bailiff of Dearham, was sued by John of Derwentwater in the Hilary Term, 1313, for seizing and abducting Ralph, son and heir of Ralph of Eyncourt. Harry's defence was that he was fully entitled to do so, since Ralph held the manor of Dearham of the honour of Cockermouth, and on his death Gavaston would naturally have the wardship of his heir.[4] This case is interesting as showing ~~that~~ that, not only

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1 A.R. 1345, m.1.

2 Gavaston had delivered these manors to the king on 18 May, 1308. (v. supra, p.108, and note 4.) Evidently Edward must have granted them back to Gavaston again.

3 Property cases against the magnates were very common. ~~In the same roll there are assizes against the earl of Arundel (m.9)~~

were Gavaston's ministers perhaps, sometimes excessively zealous on his behalf, but also that certain, if not all the Albemarle lands were administered in Gavaston's name during his exile in Ireland, although, as we have seen, the rents due from his tenants[1] still continued to be paid to the Exchequer.

There is one other important fact to be noted in this connection before we pass on to the constitution of Gavaston's household; that is, the total absence of Gascon names from among Gavaston's local officials. This is understandable. Not only would Gascons or other foreigners be unpopular with the tenantry and their fellow officers; they could not be expected to show the same familiarity with the mechanism and routine of English seignorial administration as local men would.

From this brief review of Gavaston's local administration, it seems that he differed little from his fellow magnates. As will shortly be shown, his central executive and household likewise followed the same pattern as those of the native nobility. The impression produced by the chroniclers is that Gavaston moved in a circle mainly composed of his own Gascon kinsfolk and friends, but this impression is not altogether

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3 (contd.)
I have found actions of novel disseisin against the earls of Pembroke (A.R. 1348, m.6, 1346, m.15, 1350, m.33d.), Gloucester (1348, m.27), Surrey (1346, m.19), Arundel (1349, m.4, 936, m.9), against the Archbishop of Canterbury (ibid., m.10d.) and against the Bishops of Coventry and Lichfield (1346, mm.4d, 5d, 19d, 27d.), Oxford (936, mm.10d, 11d.) and Bath and Wells (887, m. 6d.).

4 Selden Soc. Year Books, 6 Edw.II, pp.49-53, 10 Edw.II, pp.58-61.

1 Owing to the absence of an inquisition into Gavaston's lands, the names of most of his tenants are unknown. From other sources, however, we learn the names of some seventeen or so. (C. Inq. p.m., v, 101, 181, 198, 240, 257, 370, 375, 382, 385, 404, 435;

confirmed by record evidence.[1] It has already been remarked that Arnold of Gavaston seems to have introduced into England certain members of the Gavaston and Calhau families, but of these the only one who was apparently actually a member of Peter's household was his bastard brother, William Arnold, who was one of his yeomen.[2]

Nor does the Gascon element seem to have been very strong in Gavaston's household executive. His steward, Edmund Hakelut,[3] was almost certainly English, his treasurer, Roger of Wellesworth,[4] undoubtedly so. Roger, his chamberlain,[5] may have been any nationality. Walter of London, his chaplain,[6]

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1 (contd.) vi, 156, 580; C.Cl.R., 1307-13, p.179; C.P.R., 1307-13, pp. 431-2; ibid., 1313-17, p.230; Selden Soc. Year Books, 6 Edw.II, pp.49-53, 10 Edw. II, pp.58-61.) Many of his tenants would doubtless be the same as in earl Edmund's time. Gavaston held over three hundred and fifty knights' fees for the county of Cornwall and its appurtenant lands alone. (C. Inq. p.m., iii, 604.)

1 If we except the fourth article of the second Ordinances. (v. infra, pp.311-2)

2 Cott.Ms. Nero C viii, f.86.

3 C.Cl.R., 1307-13, p.382.

4 M.A. 1011/1.

5 Add.Ms. 22923, f.4.

6 Exch. K.R. Accts 235/12. He is probably the confessor of the earl of Cornwall who is mentioned as paying various sums to certain of the king's clerks in June, 1312. (ibid., 373/26, ff.5, 13v, 20.)

was English, as also were his other clerks, Nicholas of Haddenham,[1] James of Berkhamsted[2] and Richard of Wotton.[3] The same is true for the great majority of his knights; Anisantius of Savino[4] was certainly a foreigner, but Robert of Kendal,[5] Humphrey of Littlebury,[6] John of Sapy,[7] Geoffrey of Selling,[8] Thomas of Chaucumbe[9] and Henry of Leybourne[10] must have been English. Nor do we find any conspicuously Gascon names among his yeomen, Robert of Rufford,[11] Richard Wightflesshe,[12] John Albon,[13] John of Charlton,[14] John of Knockin,[15] William of Anne,[16] George Percy and Richard Oliver.[17] A similar preponderance of English names is seen among Gavaston's humbler retainers. His nuntius, Walter Dymmok,[18] his cursor, William of Nottingham,[19] and his yeomen of the chamber, William of Clopton,[20] Henry of Ditton[21] and

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1 Exch. K.R. Accts 13/7,f.47v.

2 Ibid., 373/26,f.51.

3 Ibid., 235/12.

4 Cott. Ms. Nero C viii,f.86v. He was a knight bachelor.

5 Exch. K.R. Accts 13/7,m.1.

6 Ibid., 374/20,m.2.

7 Cott. Ms. Nero C viii,f.83.

8 Ibid.,f.84.

9 A.C. xlix,no.170. These last two were both knights bachelor.

10 Exch. K.R. Accts 13/7,m.1.

11 Ibid., 373/15,f.21v.

12 Ibid., 375/8,m.29.

13 Riley, Memorials,pp.69-71.

14 Exch. K.R. Accts 13/7,m.1.

15 Ibid.,loc.cit.

16 Add. Ms. 22923,f.5.

17 Exch. K.R. Accts 13/7,m.1.

18 Cott. Ms. Nero C viii,f.82v.

19 Ibid.,f.88.

20 Exch. K.R. Accts 374/7,f.31.

21 Cott.Ms. Nero C viii,f.82v.

Henry of Guildford,[1] and his page of the chamber, Roger Atte Halle,[2] were all English. Of his garciones, one, Garsie of Gascony,[3] was certainly Gascon, another, Vivian,[4] may possibly have been.[5] The names of the remainder, John of Stopham, Alan of Cornwall,[6] Robert le Somnour,[7] John of Rothwell,[8] John of Waltham,[9] Peter of London,[10] Richard Dragon,[11] John of Hampton,[12] John Russell,[13] Richard of Middleham,[14] all indicate English origin. His falconers, Henry[15] and Matthew,[16] his armourer, William le Plater,[17] and his washerwoman, Mathilda,[18] were also probably English. Whilst, therefore, there may have been a certain number of Gascons amongst the train of knights and yeomen which would have formed Gavaston's customary following, such being his yeoman, Bertrand Assaillit,[19] and Otto Ferre, who went to Ireland in his company,[20] among his liveried retainers[21] they seem to have been very few. The sparing use which Gavaston made of his countrymen in the administration of his lands and household shows him to have been not insensible to the advantage of employing men familiar with the country and the people with whom they were dealing. Doubtless on his Gascon estates, Gavaston chiefly employed Gascons. The truth of this can never

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1 Add.Ms. 22923,f.5v.
2 Cott.Ms. Nero C viii,f.82.
3 Exch. K.R. Accts 374/7,f.18.
4 Add.Ms. 7966A,f.49.
5 Exch. K.R. Accts 373/15,f.8.
6 Ibid.,f.25.
7 Exch. K.R. Accts 373/15,f.25.
8 Ibid., 374/7,f.13.
9 Ibid.,f.22.
10 Ibid., 373/15,f.20v.
11 Ibid.,f.21.
12 Cott.Ms. Nero C viii,f.85.
13 Ibid., loc.cit.
14 Ibid.,f.85v.
15 Exch. K.R. Accts 373/15,f.49.
16 Ibid., 370/26,m.4.

be known, for no accounts seem to have survived for his Gascon manors, but the supposition has a firm foundation in the fact that, whilst the attornies which he used in England, John of Hothum,[1] Roger of Wellesworth,[2] William of Vaux[3] and Robert of Kendal,[4] were all English, in Gascony he employed a Gascon, John of Marsan,[5] as his attorney and proctor.

It is evident, therefore, that Gavaston's foreign extraction was over-stressed by his contemporaries. He had spent the whole of his life, except his early years, in England in the service of the English king, and his father and elder brother had each suffered severe losses as the result of their long and faithful adherence to the English cause in Gascony. Moreover, many of the native English nobility who bridled so much at Gavaston's sudden elevation into their ranks, were almost as foreign as he. Both the parents[6] of Aymer of Valence, earl of Pembroke, were French. The earls of Arundel[7] and Lin-

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17 (contd.) Cott.Ms. Nero C viii,f.85v. He is recorded as receiving a gift of £2 from the king for covering some plates of armour for him. Apparently Edward borrowed him from Gavaston for this purpose. (cf. Exch. K.R. Accts 373/24,f.37v.)

18 Ibid., 374/7,f.27.

19 Cott.Ms. Nero C viii,f.87v.

20 L.T.R. Mem. Roll 78,m.62; K.R. Mem. Roll 81,m.31. He seems also to have been associated with the Frescobaldi, for he paid 100 marks into the Wardrobe from them on 10 October,1309. (K.R. Mem. Roll 83,m.25.)

21 Possibly Gavaston made retaining-fees and grants of livery to other members of his household besides his officials, but we have no evidence that he did so. For liveries at this time, v. Denholm-Young, op.cit.,pp.24-5.

1 I.R. 164,mm.8,9.

2 K.R. Mem. Roll 82,m.56.

3 C.P.R.,1307-13,p.397.

4 Ibid.,loc.cit.

5 Fœdera,11,i,63.

6 Isabella of Angoulême and Henry of

coln[1] were half-Italian, and the earls of Richmond[2] and Lancaster,[3] half-French. The fact that Gavaston was by birth a Gascon could not, therefore, have been the main reason for the magnates' dislike of him. The emphasis on his foreign origin was the outcome of the desire to furnish a reasonable foundation for what was merely personal prejudice against him. Undoubtedly Gavaston invited hostility by his unaccommodating attitude towards the other earls, and this exaggeration of his foreign birth into a serious objection against his admission to the king's favour, despite the fact that his household and associates were predominantly English,[4] provided a vent by which the antagonism he aroused on other counts could find outlet.

(iii) His position in the kingdom.

As earl of Cornwall and the king's nephew by marriage, Gavaston naturally formed one of the small circle of advisers grouped around the throne. It is difficult to estimate his influence on affairs, however, as it is impossible to judge how

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6 (contd.)
Valence.

7 Arundel's mother was Alasia, daughter of Tommaso 1, Marquis of Saluzzo in Piedmont.

1 Edmund, father of Henry of Lacy, earl of Lincoln, had married Alice, daughter of Manfred 111, Marquis of Saluzzo.

2 Through his father, John 1 of Brittany.

3 Through his mother, Blanche of Artois, Queen of Navarre and Countess of Champagne.

4 It is noteworthy that Gavaston's greatest friend among the earls seems to have been not one of the 'foreign' element, but his

far he consciously advised Edward on matters of state, and how far Edward followed his advice. Examination of the Charter Roll shows that his appearances as witness, whilst as numerous as those of Lancaster and Pembroke, were few in comparison with those of Gloucester and Surrey.[1] There is also a striking scarcity of letters either from or to him, at least in comparison with the number which survive to or from Pembroke and Despenser. This does not mean that Gavaston took a smaller part in the administration than Gloucester and Surrey, Pembroke and Despenser. In the first place, as long as the implications of witnessing charters remain unknown,[2] the negative evidence of the Charter Roll is useless. Again, with regard to the lack of letters, it must not be overlooked that Gavaston may have been so much in the king's company, that he could petiton or counsel

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4 (contd.) brother-in-law, Gilbert of Gloucester, a member of the old English family of the Clares.

1 Gavaston witnessed only sixteen charters. He was also present on 11 May, 1310, with the Bishop of Worcester, the earls of Gloucester, Lincoln, Warenne and Arundel, Hugh le Despenser, Robert of Clifford, Thomas of Berkeley, Henry of Beaumont, Robert Fitz-Payn, Guy Ferre, Ingelard of Warley, John of Sandale, William of Melton and many others, when the chancellor, the Bishop of Chichester, delivered the Great Seal to the king, who then gave it to Ingelard of Warley to be kept in the Wardrobe. (Parl. Writs, II, ii, app. 29; C.Cl.R., 1307-13, p.258; Sandale's Register, p.299.) It is idle to speculate why Gavaston should have witnessed some charters and not others. None of the recipients seems to have been connected with him, if we except Henry of Beaumont, who was one of his adherents: he was granted a manor on 28 December, 1310 and Gavaston witnessed the relevant charter. (C.R. 97, m.15.) There are also two instances of Gavaston's witnessing charters to the king. (C.Cl.R., 1307-13, pp.46, 226) and one of his witnessing an ecclesiastical charter of inspeximus in favour of the church of St John of Beverley. (C.R. 97, m.20.) Of the remaining charters witnessed by Gavaston, one is the grant of certain hamlets to Thomas of Holland (C.R. 94, m.8), another, of a weekly market and yearly fair to

him by word of mouth. Certainly there is no lack of evidence that Gavaston's contemporaries thought him the real head of the government.[1] As Gavaston held no post at court,[2] his influence must therefore be inferred where it cannot be proved.

According to the Annales Paulini, many people regarded Gavaston as the real ruler of the kingdom and Edward as a mere figurehead.[3] The truth of this can never be proved, but there is record evidence that the chroniclers were right in stating that Edward referred to Gavaston as his 'dear brother.'[4]

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1 (contd.)
Marmaduke of Tweng and William of Ros of Kendal (C.R. 96,m.11), the rest are all grants of free warren. (C.R. 94, mm.8,10, 97,mm.1,7,12, 98,m.13.) Amongst Gavaston's fellow-witnesses, the most frequent is Robert of Clifford, who appears with him twelve times. Amongst the earls, Surrey's name is found ten times with Gavaston's, Gloucester's, five times, Lincoln's, twice, and Pembroke's, Hereford's and Lancaster's, once each. None of these charters , with the possible exception of the grant by the Bishop of Durham to the king of the castle of Somerton and other territories, is of any particular importance.

2 (contd.)
For this question, v. Maxwell-Lyte, The Great Seal, pp. 234-7.

1 Ann. Lond., i, 151; Ann. Paul., i, 258; Gesta Edw., ii, 32; Vita Edw., ii, 155; Trokelowe, p.66; Chron. Melsa, ii, 326; Murimuth, p.11.

2 The St Paul's annalist (p.257) says that Gavaston was Edward's secretarium et camerarium regni summum. The Malmesbury writer (p.155) qualifies this as camerarius familiarissimus et valde dilectus of Edward, when Prince of Wales. The description of Gavaston in the Annales Londonienses (p.151) as regiam domum tenens can also be interpreted to mean that he was the royal chamberlain. But there is no record evidence that Gavaston was ever chamberlain to Edward, either as prince or king. Baker's definite statement that the king made the younger Despenser camerarius regis loco P(etri) (p.6) can more or less be discounted, as Professor Tout has pointed out, by reason of his inaccuracy in respect of such details, which shows itself in this instance by his antedating Despenser's appointment by five years.

3 P.259.

4 In a letter from the king to the Treas-

It is therefore safe to assume that, as the king's most intimate friend, Gavaston was second in importance only to Edward himself. This being so, his capacity for advising the king for good or for evil must seemingly have been infinite.

Before passing on to the study of the actual exercise of Gavaston's influence, it will be interesting to see how far he acted alone and how far in concert with others. It has already been observed[1] that right at the commencement of the reign Gavaston collaborated with Walter Reynolds in connection with the proceedings against the dismissed treasurer, Langton. Except for his co-operation with Roger Mortimer of Wigmore on 17 March, 1308, on behalf of John of Messenden,[2] this seems to be the sole instance of Gavaston's having allied himself with another which occurred during the period between Edward's accession and Gavaston's exile to Ireland. After his return from exile, however, examples are not lacking to show that he ranged himself with the king's other counsellors. On 5 August, 1309, the very day of his official reinstation, he joined with the earl of Gloucester to procure a pardon for Nicholas of Wokingdon for trespassing in the royal forest.[3] The following day he took his part with the earls of Gloucester, Lancaster, Lincoln, Ulster and other magnates in supporting a written protest to

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4 (contd.) urer of 5 July, 1308, Gavaston is referred to as the king's cher frere et feal. (L.T.R. Mem. Roll 78, m.67d.) Cf. Ann. Paul., i, 258; Vita Edw., ii, 161; Lanercost, p.210.

1 V. supra, pp.93-4.

2 C.P.R., 1307-13, p.56. V. infra, p. 219 and note 3.

3 Ibid., p.180.

the Pope in respect of Papal provisions and ecclesiastical dues and exactions, his name appearing fourth on the list of complainants.[1] We also have evidence that later in the year Gavaston was associating in an administrative capacity with other members of the king's council, for by a letter dated 23 November, 1309, Edward ordered the earl of Lincoln and other members of the council to arrange with him with regard to the issue of letters of credence to two messengers whom the king was sending to the Pope.[2] Shortly after this, on 10 December, Gavaston combined with Gloucester and Lincoln in requesting the king to suspend the collection of the recently-granted twenty-fifth.[3] Four days later he allied himself with Gloucester and Richmond to secure permission for John of Droxford, Bishop of Bath and Wells, to defray his debts to the king by yearly instalments.[4] Finally, on 11 May, 1310, he again joined forces with Gloucester and Lincoln to secure payment of £1,000 odd to Henry Nasard.[5]

This evidence seems sufficiently ample to warrant the conclusion that Gavaston was not without allies among the earls: Lincoln, Gloucester and Richmond must certainly have been friendly with him. On the other hand, the fact that Gavaston's name is never found coupled with that of any of the other earls except these three,[6] makes it equally conclusive that the great

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1 (cont.) Ann. Lond., i, 161.

2 L.T.R. Mem. Roll 80, m.13; K.R. Mem. Roll 83, m.11d; v. Conway Davies, op.cit., pp.100-1. Gavaston and the others were to let the king know what they decided on before the messengers set out.

3 Parl. Writs, II, ii, 41; C.Cl.R., 1307-13, p.189. Collection was suspended from 21 December, 1309 to 16 February, 1310, but the suspension was countermanded on 1 April, 1310. (C.Cl.R., 1307-13, p.204.)

4 C.P.R., 1307-13, p.202.

majority of the earls remained hostile to him. But there were other forces in the kingdom besides the earls against whose prejudices Gavaston had to contend. Chief among these were the Queen and the Church. From the few references to her which appear in the chronicles, it is evident that Isabella was no friend to Gavaston. Robert of Reading, indeed, depicts her almost as one of the leaders of the opposition, espousing the popular cause and pleading in vain with her husband to turn from the counsel of Gavaston and his associates, to that of the magnates and the clergy.[1] Trokelowe relates that she was driven to complain to her father, Philip IV, by Edward's neglect of her in favour of Gavaston,[2] and alleges that when Lancaster, her uncle, heard that Edward had placed Gavaston in Scarborough castle, he sent a message to her that his party would not rest until the favourite was entirely removed from the king's society.[3] The French chronicler, Guillaume de Nangis, however, states that consideration for Isabella helped to restrain the baronial opposition.[4] Enmity between Isabella and Gavaston was more or less inevitable. However conciliatory the attitude which the favourite adopted towards her, Isabella was bound to resent

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5 (contd.)
G.R. 25,m.1.

6 This is leaving out of account the occasion on which Gavaston co-operated with the whole body of the earls in their protest to the Pope, which was exceptional.

1 Flores Hist.,iii,148.

2 P.68. The Melsa annalist (ii,280) also states that Edward neglected his wife for Gavaston.

3 P.76. In this connection, it is interesting to note that in January,1312, Isabella sent a present of venison to Lancaster

his close intimacy with Edward, and her antagonism to him would have been none the less strong because it sprang from a smaller issue. Isabella could hardly have objected to Gavaston on the grounds that Edward preferred his opinion to hers, for she was scarcely old enough for her husband to have consulted her in any case, but she could justifiably object to Gavaston's ousting her from the first place in the king's affections, and, judging by what we know of her character, probably did everything in her power to avenge herself on the favourite for this slight.

With regard to the Church's apparent hostility to Gavaston, there is less excuse for him. Gavaston was powerless against Isabella's animosity towards him, but there was no such insurmountable obstacle to his conciliating the Church. Nevertheless, he seems to have done very little to that end. True, he was on good terms with individual churchmen, with the Bishops of Worcester,[1] Exeter[2] and Bath and Wells[3] and even, later in the reign, with his old enemy,[4] the Bishop of Coventry and Lichfield,[5] who helped to procure his recall from exile in 1312. He also bestirred himself occasionally to procure grants in

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3 (contd.) at Newcastle-under-Lyme. (Cott.Ms. Nero C viii,f.138d)

4 (contd.) He alleges that the barons would have deprived Edward of all share in the government but for her, quae se ipsam baronibus gratiosam et amabilem exhibuerat. (1,376.)

1 V. supra, pp.93-4.

2 Gavaston secured permission for him to commute his military service for the Scottish campaign of 1310-11. (L.T.R. Mem. Roll 81,m.11; K.R. Mem. Roll 84,m.6.)

3 V. supra, p.145.

4 According to Henry of Knighton, the Bishop had frequently

mortmain[1] or of free-warren to various religious houses.[2] But he apparently did nothing to ingratiate himself with the main body of churchmen. As he was twice excommunicated, it is tempting to believe that religion meant little to Gavaston. He conformed to the ordinary conventions of the day by having his private chaplain, but seemingly did little to further the cause of religion in England. He founded no religious house and gave little or nothing to ecclesiastical causes.[3] Indeed, far from having tried to placate the Church, Gavaston seems rather to have deliberately alienated it by his efforts at foisting his nominees

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4 (contd.) admonished Gavaston for leading the king into evil courses and encouraging him ad multas scurrilitates et malitias atque stultitias et ineptias, ac inertias frivolas ..... contra statutum suum et regni honorem, on which account he alleges that Gavaston became actively hostile towards him (i,406).

5 According to Murimuth (p.18), Langton suffered excommunication for his adherence to Edward and Gavaston.

1 It was through Gavaston's good offices that a grant in mortmain was made to the priory of Bolton-in-Craven on 4 December, 1307, and a similar grant to the priory of St Mary, Ixeworth, on 15 August, 1309. (C.P.R., 1307-13, pp.31, 181.)

2 Gavaston procured a grant of free-warren and yearly fair for the priory of Bolton-in-Craven on 9 September, 1310. (ibid., p.166)

3 Stubbs has already remarked on this. (Chron. Edw.I & II, ii, xlix) If Gavaston's household accounts had survived, they might disprove the belief that he gave nothing to the Church, but even this is doubtful. Whilst the manor of High Peak was in the hands of the crown, the king contributed from its issues to the repair of Rievaulx Abbey, but Gavaston discontinued this grant when High Peak became his property: the grant was renewed when the manor reverted to the crown. (L.T.R. Mem. Roll 80, m.31; K.R. Mem. Roll 83, m.16.) The only indication that Gavaston may have followed the custom of the day in alms-giving is the retrospective evidence in the accounts of the royal stewards after his lands had fallen forfeit to the crown. (v. P.R. 161, m.43, for example, where in the account for the honour of Wallingford for 9 Edw.II, 12s. a year is allowed the nuns of Goring, and 2s. a year, the abbey of Dorchester, de antiqua

into places where they were not wanted. It appears from a letter written by the abbot of Ramsey to Edward 111, that in Edward 11's reign the abbey had been bullied by Gavaston into admitting many of his nominees to corrodies.[1] Again, amongst the archives of Westminster Abbey, there is an enrolment of letters apparently from various members of the monastery of Westminster, dealing with the election of an abbot to fill the vacancy caused by the death of Walter of Wenlock. The elect, who is said to be sup-

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3 (contd.)
elemosina.) There is nothing to show that Gavaston had kept up these grants, however, and, in any case, if he had done so, he was probably only continuing what was apparently a customary charity, as a matter of form rather than choice. Apart, therefore, from the examples quoted in the text, the only instances we have of Gavaston's showing any consideration for the Church are his thank-offering in the church of St Kevin in Ireland (v. infra, p.234) and his loan of 500 marks to the parish priest of Escrick. (C.P.R., 1317-21, p.249.) The Church was well represented at Gavaston's funeral (v. infra, pp.341-2), but nothing can be deduced from this.

1 Cart.Rams., iii, 102. The letter, which was in answer to Edward 111's enjoinder to admit a nominee of his to a corrody, cites a certain Arnold Brocaz who had been wont to receive a corrody of 100s. a year from the abbey ad procurationem domini Petri de Gavestone ..... qui etiam dominus Petrus multa de oneribus supradictis per multas minas extorsit. It must be remembered, however, as a corrective to the abbot's allegation, that by Edward 111's time it had become customary to attribute anything unpleasant to Gavaston, who by then had become a general scapegoat. In any case, Ramsey Abbey probably had no cause to cherish Gavaston's memory. He was a source of expense to them on at least one occasion. (ibid., iii, 64 - Expensae pro Petro Gavestone.)

ported by Gavaston, is objected to by most of the writers, who allege that his infamia et insufficiencia are unknown to the important personages whom it is intended to influence.[1] Further evidence of Gavaston's interference in the ecclesiastical sphere is to be found in a charter dispute on which the abbot of Melsa abbey embarked in the next reign. Here Gavaston is mentioned as nominating his clerks to the churches of Easington and Kayingham, although the abbey had been granted these advowsons by Edward 1.[2] In justice to Gavaston, it must be added that, in common with Edward 11, Isabella and Edward 111, all of whom at one time held Holderness, he made these nominations in virtue of his holding that lordship,[3] but it is hardly likely that the abbey would have taken such extenuating circumstances into consideration.

It seems, therefore, that Gavaston was as unpopular with the Church as he was with the Queen and the majority of the magnates. From this we gather that he must for the most part have played a lone hand at the king's side, unrestricted by ties of loyalty to KXX political allies. Implicitly trusted by the king and free alike from deference to convention and from consideration for wider issues, Gavaston might well have

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1 Hist. Mss. Comm.,i,95.

2 Chron.Melsa,ii,298.

3 In the normal way, Gavaston would expect to present to the benefices of all the churches on his estates. On 21 May,1310, for example, he presented to the chapel of Crookham, and on the following 1 June, to the church of Harewell, the living of which latter was granted to his chaplain, Walter of London. (Registrum Simonis de Gandavo,ii,725,728.)

used this unique position solely to further his own ends. There is little evidence that he did so, however. In the administrative sphere, at least, Gavaston seems rarely to have exerted his influence. I have found no other example to add to the solitary instance cited by Conway Davies,[1] of Gavaston's having been instrumental in the issue of a writ with any administrative significance.[2] In governmental matters, Gavaston seems to have preferred to act in combination with others.[3] Of course, Gavaston was in constant attendance on the king when at court, and in close correspondence with him when away,[4] so the exercise of his influence may well have escaped notice. On occasion, too, he could write to the Chancellor, requesting him to forward two writs by return according to the tenor of the enclosed petition.[5]

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1 Op.cit.,p.100,note 15.

2 It consists of an order to the Treasurer and barons of the Exchequer to make allowance in the account of the sheriff of Cumberland for the deficit occasioned by the fact that during his term of office the district was ravaged by the Scots and he was unable to collect the money. (K.R. Mem. Roll 83,m.16.)

3 V. supra,pp.144-5.

4 The actual letters which have survived either to or from Gavaston, are few in number, but from entries in Wardrobe accounts we hear of some fifty or so letters passing between him and the king. Unfortunately there is no indication of the contents of these letters, beyond the occasional remark that they concerned 'the king's business,' or even, more specifically, 'the king's private business.' (Exch. K.R. Accts 373/15,ff.20v, 23,24,24v,25; 374/7,ff.10,11,13,19,21,22,25,27,30; 374/8,ff.25, 34,43v; 374/5,f.56; I.R. 152,m.4; Cott.Ms. Nero C viii,ff.82, 82v,83v,84,88,107.) Nor was the king the only one to write to Gavaston; on at least five occasions he received letters from the Treasurer, also on 'the king's business.' (Exch. K.R. Accts 373/15,ff.25,25v,26,26v.)

5 Conway Davies, op.cit.,p.101, app. no. 105; F.J.Tanquerey, Recueil de lettres anglo-francaises, (1916),p.96. The letter is dated from Knaresborough on 6 November, but the enclosure is apparently lost. Possibly the petition was from Gavaston

But there is nothing to support the chroniclers' allegations that he was responsible for the entire government of the kingdom[1] or that he secured the most confidential and most lucrative posts in the king's household for foreigners[2] or even that he regulated the king's household.[3] Indeed, most of the contemporary charges against Gavaston are suspiciously vague. In the chronicles the only specific example given in support of the general charge against him of depriving office-holders of their posts and conferring them on his own men, apart from the charge of having instigated Edward to deprive Langton of the Treasurership, which has already been investigated,[4] appears in the Vita Edwardi, where it is alleged that Gavaston ousted one of Lancaster's men in favour of one of his own, a proceeding which Lancaster greatly resented.[5] Both the St Paul's annalist[6] and

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5 (contd.) himself, though there is nothing to confirm this supposition. Conway Davies remarks that "there does not remain a single petition of Gavaston to the king or council" and adds that "he was in too constant attendance to need to urge his claims or redress his wrongs by the formal means of petition." (op.cit.,p.101.) But Gavaston petitioned the king on at least one occasion, though the petition itself is lost. (C.Ch.W.,p. 332.) The letter mentioned in the text must clearly have been sent with Edward's approval, but it is difficult to see why he should have made Gavaston his agent in the matter.

1 Ann. Paul.,i,258; Vita Edw.,ii,155.

2 Gesta Edw.,ii,32; Trokelowe,p.66.

3 Ann.Lond.,i,151.

4 V. supra,p.93.

5 Vita Edw.,ii,161.

6 Ann.Paul.,i,257. He records that Walter Reynolds was appointed Treasurer in place of Langton and the Bishop of Chester, Chancellor, in place of the Bishop of London. He also notes that Richmond was made governor of Scotland in place of Pembroke. Sir H. Maxwell, the translator of the Lanercost Chronicle sees

the Lanercost chronicler[1] record extensive ministerial changes at the commencement of the reign, but neither makes any suggestion of Gavaston's responsibility for them. Conway Davies, however, has shown that the contemporary belief that Edward substituted his own ministers for his father's, is based on ignorance of the workings of the administrative machine.[2] Some few ministerial changes there undoubtedly were, but no wholesale dismissal of Edward 1's officers. In these circumstances, the question of Gavaston's responsibility does not arise.

In connection with Gavaston's supposed position of supremacy in the kingdom, it is noteworthy that the Ordainers also confined their charges against him to mere generalities. But it is really not to be wondered at that few specific charges of exerting undue influence over the king were levelled at Gavaston by his contemporaries, for they could have no means of knowing, unless they had access to the administrative records, how far he was responsible for the king's acts.

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6 (contd.)
in this last change an illustration of Gavaston's influence, for he was 'no friend to Valence.' (p.184,note 1) But if Gavaston's influence with the king were paramount and he were so hostile to Pembroke, why did he allow Edward to appoint him in the first place? The most probable explanation of the change is that Edward was actuated solely by expediency; Pembroke was found to be of more use in England than in Scotland.

1 P.210. According to this account, Edward's choice of ministers was worse than his father's.

2 Op.cit.,pp.53-4. He thinks the St Paul's annalist, who ~~also~~ states that the barons of the Exchequer and the justices and other ministers were also changed, was probably misled by the fact that "Edward 11 issued new patents of appointment to all his administrative officers." (p.54.)

The meagreness of the evidence at our disposal makes it ~~exxxxxxxxxxxxxx~~ difficult to estimate the degree to which Gavaston interested himself in the government of the kingdom. It is fortunately much easier to determine whether he abused his position in his own interests. This aspect of Gavaston's position can be studied under two heads; whether his close intimacy with the king bred in him a disregard for the law of the land, and whether he unduly engrossed the king's favour on behalf of himself and his relatives and friends.

With regard to the first count, it seems that Gavaston was never contemptuous of the law and the rights of other men. True, on two occasions he had to obtain the king's pardon for having killed a man,[1] but, as we know nothing of the attendant circumstances, Gavaston can hardly be censured on this account. He had also to seek the king's pardon for having trespassed in the royal forests and parks: this, of course, was readily granted him, and permission to hunt in the king's forests and parks and to fish in his pools was given him the same day.[2] Except for the action of novel disseisin against him in the matter of the manors of Crookham and Leckhampstead,[3] however, there is nothing to indicate that Gavaston usurped the rights and properties of others.

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1 C.P.R., 1307-13, p.277; Cott.Ms. Nero C viii, f.83v.

2 C.P.R., 1307-13, p.211. Trespassing in the royal forests, of course, was a common offence.

3 V. supra, p.135. These two manors seem to have given Gavaston some trouble. In April, 1308, he filed a suit before the justices of the King's Bench against John FitzReginald, that John should warrant to him the manors of Crookham and Leckhampstead. (C.Ch.W., p.272.) In the action mentioned in the text, however, John FitzReginald appears as a defendant with Gavaston.

Nor does Gavaston appear to have enriched himself at the public expense. One of the most frequent charges against him was of embezzling the royal treasure and sending it abroad to be kept for him by foreign merchants,[1] but there is seemingly no foundation for this allegation. Hemingburgh's story of how Edward gave Gavaston all Edward 1's treasure, to the amount of 100,000 pounds of silver, together with much gold and many precious stones and jewels, all of which Gavaston is stated to have sent home to his native land,[2] needs no investigation, for it has already been shown that Edward 1 bequeathed an empty treasury to his son.[3] The story of how Gavaston conveyed a golden table and trestles from the treasury at Westminster and delivered them to Amerigo dei Frescobaldi to transport to Gascony,[4] is equally unfounded. Considering that Gavaston was consistently charged with despoiling the royal treasury, the number of money gifts to him is surprisingly few. Probably the most valuable of these gifts were of the issues from the manors of Newport and Watlington for the period during which they were in the hands of the Crown,[5] and of the scutage for the Scottish campaign of 1311 on all his lands, together with all scutages in

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1 Ann.Lond., i, 151; Chron.Melsa, ii, 28; Trokelowe, p.65.

2 ii, 274.

3 V. supra, p.93 and notes.

4 Leland, Collectanea, ii, 473, cited by Dimitresco, p.26.

5 L.T.R. Mem. Roll 80, m.15; K.R. Mem. Roll 83, m.12d. The mandate ordering the Treasurer and the barons to count the keepers of these manors quit of their issues is dated 14 September, 1309, so it is independent of the writ dated 13 February, 1310, by which payment of all the revenues due from the Cornwall lands for the past term was ordered to Gavaston in compensation for his having received nothing from the Albemarle lands for that period. (v. supra, p.129 and note 3.)

arrear when the lands were granted him.[1] Only once does Edward seem to have paid Gavaston's debts, and then not for an excessive amount.[2] Exclusive of this, the sum total of the money which Gavaston received from the king was £1,243.1s.4½d., of which only £382.1s.4½d. was actually given to him,[3] the remaining £861 being prests.[4] There is also mention of a gift of £40 to Gavaston, but since it was really a debt owed to the king that Edward remitted out of consideration for him, it can hardly be listed as a present.[5] In connection with Gavaston's financial relations with the king, it is also interesting to observe that, unlike Richmond[6] and Warenne,[7] he seems

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1 C.Ch.W., p.370. The writ is dated 25 June, 1311, so possibly Gavaston never enjoyed the benefit of the grant.

2 On 10 June, 1308, a present of 1,180 marks was made to Gavaston (C.Ch.W., p.275; Ch.W. 60, no.249; L.R. 84, m.2), but the money was not paid over until 8 July. It was delivered to Roger of Wellesworth, Gavaston's clerk, who immediately handed it over to Walter Reynolds in payment of various amounts totalling that sum which he had lent Gavaston out of his own pocket during the previous year. (I.R. 143, m.4.)

3 £95.3s. on 7 February, 1308 (I.R. 141, m.7); £130.5s.0½d on 1 March, 1308, this being the issues from the castle and honour of Knaresborough owing from the previous reign (L.T.R. Mem. Roll 78, m.33); £96.13s.4d. on 19 June, 1308 (Exch. K.R. Accts 373/30, f.14); £50 on 5 March, 1313, this last being paid to his attorney, John of Hothum. (I.R. 164, m.8) £10 was also paid to Gavaston out of the issues from the manor of La Haye some time during the reign. (C.Cl.R., 1318-23, pp.387-8.)

4 £12.6s.8d. for play on 25 December, 1310 (Exch. K.R. Accts 374/7, f.26); £333.6s.8d. at the beginning of the fifth year (ibid., 373/26, f.59v); £464 towards the expenses of his household at Dundee in January and February, 1312 (ibid., f.31); £13.6s.8d. on 9 May, 1312 (ibid., f.65v); and £38 on 12 May, 1312 towards the expenses of his household. (ibid., 374/5, f.55v, 373/3.)

5 What really happened was that the king granted the £40 to Gavaston, who remitted it to the debtor, Ralph of Littlebury. (L.T.R. Mem. Roll 78, mm.67, 119; K.R. Mem. Roll 81, mm.34d, 90.)

6 He was pardoned his debts to the king on 26 November, 1309 (L.T.R. Mem. Roll 80, m.32d; K.R. Mem. Roll 83, m.17d.)

never to have owed the king money. On the contrary, there is ample evidence that Edward borrowed from him extensively.[1]

Gavaston also received comparatively few gifts in kind from the king. At his wedding he and his wife were given jewels to the value of £30.[2] The only other record of a present of a jewel to him is that of a ring worth £10 in October, 1311.[3] Other gifts to him include a vestment, a cope and various chapel ornaments in December, 1307,[4] 1,101 quarters and 4 lbs. of wax on 1 June, 1308,[5] 30 tuns of wine[6] and 200 comelings from the stock of the manor of Thorley.[7] The most valuable of all the king's gifts to his favourite was probably the present of sixteen horses on 24 January, 1312.[8] Consider-

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7 (contd.)
There is a mandate dated 15 April, 1311, ordering a search amongst the rolls and memoranda of the Exchequer to ascertain the amount which the earl of Warenne and his ancestors owed the crown. (K.R. Mem. Roll 84, m.25d.)

1 On 23 October, 1307, £500 which Gavaston had lent to the Wardrobe, was repaid. (I.R. 141, m.1; Exch. K.R. Accts 373/15, f.2v, 373/19, mm.1,2,3.) Similarly on 13 December, 1310, he was repaid another £500. (Exch. K.R. Accts 374/7, f.24.) Finally, on 22 March, 1312, he was granted the receipts from the custom on wool, hides and wool-fells in the port of Berwick, until he should have received £408.11s.8d., this being the amount of the king's debt to him for provisions bought from him and for the expenses of the royal household and the provisioning of castles in Scotland in the fifth year of the reign. (Fœdera, II, i, 160; C.P.R., 1307-13, p.449; cf. Rot. Scot., p.110b.)

2 Exch. K.R. Accts 325/4, m.2.

3 Cott.Ms. Nero C viii, f.120v.

4 Exch. K.R. Accts 373/15, f.21v.

5 I.R. 143, m.3. The wax cost £42.17s.4d.

6 Cott.Ms. Nero C viii, f.67v.

7 M.A. 985/8, m.8d.

8 Cott.Ms. Nero C viii, f.63v.

ing the close terms of friendship on which Gavaston was with the king, the number of presents which ~~the~~ Edward made him seems not excessive. There is evidence, however, that on at least one occasion Gavaston abused his friend's generosity, for when, during Gavaston's stay at the manor of Ewell in Kent, the king made him a present of the produce not only from this particular manor[1] but also from that of the greater part of the property formerly owned by the Templars in that district, the favourite and his suite interpreted the gift so literally that ~~the~~ after their visit, this property could not be put under cultivation without assistance from the other properties of the Templars in the king's hand.[2]

The favours which Gavaston received from the king were positive rather than negative. In the matter of exemptions, he seems to have profited little. Shortly after the grant of the Cornwall lands to him, on 15 November, 1307, he was relieved from the charge of six Scottish prisoners in Launceston castle,[3] whilst the following 1 April, the workmen in his mines in Cornwall were declared exempt from impressment into working the royal mines there.[4] Apart from these two instances, Gavaston

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1 From the produce of Ewell itself, Gavaston was given one barrel of wine, one cow, one goat, two boars, nine pigs, twelve flitches of bacon, thirty-six sheep, three thousand salted herrings, twelve quarters and six ounces of oats, four quarters of peas and a hundred and sixty-two cops of vetches. (L.T.R. Mem. Roll 80,m.56; K.R. Mem. Roll 83,m.27.)

2 There is a mandate dated 17 February, 1308, ordering John of St Denis, the *custos* of the lands and tenements of the Templars in Kent, to assist the manor of Ewell. (L.T.R. Mem. Roll 78,m.81)

3 *Cal. Doc. Scot.*, iii, 11; L.T.R. Mem. Roll 78,m.20; K.R. Mem. Roll 81,m.80. These prisoners had been in the garrison of Stirling. *V.* K.R. Mem. Roll 81,mm. 94d,96,99; *ibid.*, 82,m.20 for the cost

does not seem to have been unduly privileged in comparison with his fellow earls.

With Gavaston himself the recipient of so few presents from the king,[1] other than the grants of his lands, it is hardly to be expected that his family and friends would have profited overmuch by his advancement. Closer investigation proves conclusively that the charge against Gavaston of wholesale nepotism is as unfounded as most of the other charges which were laid at his door.

It has already been remarked that the only one of Gavaston's relations who was actually a member of his household, was his brother, Arnold ~~William~~ William.[2] The head of the family, Arnold William of Marsan seems to have stood in need of little assistance from his more famous brother. He had been a man of some standing even in Edward 1's reign, and had a household of his own, this including his knight, Aninsantias,[3] his yeomen, Burgundus and Manent of Clavery,[4] and his four squires, William Raymond and Menaldus of Clavery, William Arnold of Sales and

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3 (contd.) of their keep during their stay at Launceston.

4 (contd.) C.P.R., 1307-13, p.61.

1 I have found less evidence of Gavaston's having given presents to the king. At various times, however, he gave Edward eight horses, on one occasion including the harness with the gift. (Exch. K.R. Accts 374/7, ff.6,8,18,22; Cott.Ms. Nero C viii, ff.84v, 85, 85v.)

2 V. supra, p.137.

3 Exch. K.R. Accts 375/8, m.27d.

4 I.R. 159, m.5; 164, m.1.

Gaillard of Fauvas.[1] As Sir Arnold of Gavaston's heir, he spent much of his time in securing the payment to himself of the debts owing to his father by the crown.[2] Considering his close relationship to the favourite, Arnold William seemingly did not benefit to any considerable extent through Peter's good offices. True, he was appointed seneschal of Agenais on 27 June, 1308,[3] but there is nothing to show that this preferment was not due to his own merit: he had already been in the royal service for many years and his worth was probably well-known to the king.[4] To some extent, Gavaston probably did further his brother's advancement, especially in connection with

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1 Exch. K.R. Accts 14/21,m.5.

2 In all, £779.15s.8d. was due to Arnold of Gavaston for his expenses and those of his companions, together with the cost of the replacement of their horses, which had been incurred during Edward I's wars in Gascony. (I.R. 143,m.7.) Arnold William apparently received £200 of this debt from Amerigo dei Frescobaldi, and was authorised to receive the remainder out of the issues of the duchy of Aquitaine. (G.R. 24,m.20; I.R. 143,m.7; C.Ch.W.,i,277.) The king allowed Arnold William £40 towards the expenses which he incurred during his stay in England 'on certain business,' this business doubtless being the collection of the debts due to his father. He received £30 of this gift on 1,August,1312, and the other £10 on 9 June,1316. (I.R. 163, m.5; 178,m.3.)

3 C.Ch.W.,i,275. By letters dated 20 May,1309, the treasurer of Agen was ordered to pay Arnold William the revenues from the seal of the seneschalcy, and the Seneschal of Gascony, to deliver the office to him absque usurpacione seu occupacione aliqua. (G.R. 24,m.11; cf. Fœdera,II,i,75.) These orders were repeated on 20 September and again on 1 October,1309. (G.R. 25, m.6 and v. infra,p.161.)

4 On several occasions he received prests on his wages, one of £4.10s. (Exch. K.R. Accts 325/4,m.1), another of £20 (I.R. 159, m.5) and a third of 10 marks, this last being towards the expenses of his horses. (Exch. K.R. Accts 373/26,f.49.) On his return to Gascony, £50 was needed to defray the debts owing to him in the Wardrobe. (I.R. 164,m.5.)

the various grants of land which the king made to him in Gascony, these comprising the county of Gaure,[1] various lands in Aquitaine to the annual value of 100 marks to enable him to receive knighthood,[2] and certain other lands in the same district, which he and Peter were to hold jointly.[3] The number of money presents which Arnold William received was few, and there is nothing to show that they resulted from Peter's connivance. On his return to Gascony, the king granted him 500 marks in recognition of his faithful services and to help him with the expenses which he had incurred during his stay in England[4] and in connection with his departure.[5] The king also paid the debts for which Arnold William was liable in England,[6] and made him one or two small money presents.[7] Arnold William appears as a successful petitioner on more than one occasion. Chief of these was the grant of his petition for the restoration to him of his mother's castles of Louvigny, Montgaillard and Hagetmau.[8] There is nothing exceptional in this, however, especially

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1 Carte, i, 35.

2 C.P.R., 1307-13, p.74. These lands were situated in Gosse, Seignanx and Sort. The grant was made on 24 May, 1308, the date of Gavaston's first grant of lands in Aquitaine. On 7 June, the date of Gavaston's revised grant, Arnold William's grant was also apparently revised. (ibid., p.78.) As late as 23 September, 1309, orders were being sent to the seneschal of Gascony and the constable of Bordeaux to deliver these lands to Arnold William. (G.R. 25, m.6.) These orders were repeated on 22 October, 1311, when at the same time directions were made out to the seneschal and the constable regarding the making of boundaries between Arnold William's territories and the town of St Sever and the bastide of Arouille. (G.R. 27, m.9; A.P. 11971.) On 16 April, 1312, Arnold William was further granted permission to make boundaries between his lands in Roquefort and those of the lady Constance of Marsan. (G.R. 27, m.3.) Despite these writs, however, and the fact that by letters dated 18 February, 1314, the inhabitants of Gosse and Seignanx were ordered to remain intendant to the seneschal of Gascony and to continue

as he seems to have had some difficulty in getting possession of the castles.[1] Arnold William was also allowed to continue to hold the castle and castellanship of Gabarret and the land of Gavardan on the same terms as his father had held them,[2] but this grant had originally been made to him by Edward 1 and was only confirmed by his son. It might be noted in parenthesis

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2 (contd.)
paying part of their revenues to him (ibid.,28,m.5), Arnold William was still not in possession of these lands as late as 12 May,1315. (Carte,i,47; G.R. 29,m.3.) However, he was presumably in possession by 6 May,1321, for on that date permission was given him to make boundaries between his lands and the king's. (Carte,i,57.)

3
The grant is dated 27 November,1308.(V. supra,p.115.) On this occasion, Arnold William also received Labouheyre and Born, together with their prévôtés or baillis.

4
Arnold William seems to have remained in England throughout most of the time his brother was in power, but he must still have had commitments in Gascony, for on 4 April,1312, letters of protection on his behalf were addressed to the seneschal and all Gascons. (G.R. 28,m.3.)

5
Of this 500 marks, £100 was delivered to Arnold William on 16 October,1312. (I.R. 164,m.2.) The following 28 October, the king ordered the seneschal of Gascony to ask Arnold William's creditors not to press him until the remaining 350 marks had been paid him. (G.R. 29,m. 10.) By 28 March,1313, it had apparently all been paid. (ibid., m.17.) Arnold William was also granted 100 marks per annum from the customs of Bordeaux, and by letters of 1 April,1314, the seneschal was ordered to pay him 400 marks, this being payment for four years in advance. (ibid., 30,m.4.)

6
These debts were:- 100 marks for horses, wine, silver cups and other articles which he had bought, together with loans which he had received from William of Toulouse; £18 for wine and loans from ~~William~~ Peter of ~~Toulouse~~ Cabanes; £100 for loans from William Testa; and £79.16s.8d. for bread from Henry Nasard - £264.10s. in all. (Cott.Ms. Nero C viii,f.83.)

7
£5 on 9 and 500 marks on 16 October,1311, towards the expenses of his stay in England and of his return home. (I.R. 164,mm.1, 2.)

8
G.R. 24,m.5.

1
On 26 March,1316, he was paid 10 marks towards the expense of his staying in London on certain business touching his late

that Arnold William, though a man of some position,[1] could never have been a wealthy man, for on 25 May, 1315, the king had to intervene on his behalf to prevent the sale of his goods to satisfy his creditors.[2]

Of the rest of the Gavaston family, little is known. Amy, who may have been either Gavaston's sister or niece, was

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1 (contd.)
father, probably in connection with these castles. A similar 5 marks was given him the following 1 April, and a further £20 on 7 April. (I.R. 177, m.11.) Apparently he was still not in possession of these castles as late as 8 June, 1316. (Carte, i, 49.)

2 (contd.)
G.R. 24, m.1. Edward I had made the grant to Arnold William in partial satisfaction of the arrears of wages due to him. On 15 March, 1308, however, Edward II ordered the restoration of the castle and land to Margaret of Foix, on condition that she paid Arnold William 2,500 small pounds of Tours (about £625 sterling). (Foedera, II, i, 39.) Apparently she was unable to raise the money, for later Arnold William complained that the constable of Bordeaux was withholding from him 1,200 small pounds of Tours (about £300 sterling), alleging that they were due from Gavardan for the period during which Arnold William had held it. Accordingly, by letters dated 28 April, 1310, a search of the Chancery rolls was ordered to see whether he were right in his claim to hold Gavardan as Edward I had held it; if so, the constable was to refund the money immediately. Evidently Arnold William had also fallen foul of the seneschal, Stephen Feriol, for by the same letters of 28 April, justice was ordered to be done him and his wife, Mary, in their suit against the seneschal over a certain castle which they claimed. (C.Ch.W., i, 314-5.)

1
On his return to Gascony, his retinue consisted of eight squires, nine yeomen of office and nine garciones. (Cott.Ms. Nero C viii, f.83.) They received 20 marks between them by the king's gift. (ibid., loc.cit.) Arnold William's knight, Aninsantias, had already received a gift of £20 from the king on 3 October, 1312. (Exch. K.R. Accts 375/8, m.27d.) It might be remarked here that it was these entries in Cott.Ms. Nero C viii, relating to Arnold William's return to Gascony in November, 1311, that established Peter's connection with the rest of the family, for Arnold William is here repeatedly referred to as fratri domini Petri de Gavestone.

2
G.R. 31, m.7.

one of the ladies of the Queen's bedchamber,[1] a post where one would have thought her connection with Peter would have been no recommendation. Nothing further is heard of Gerard of Gavaston,[2] nor is anything known of Arnold, son of Arnold William of Marsan, beyond the fact that he was allowed a portable altar.[3] It is more than probable that John of Marsan, who acted as attorney for Peter and Arnold William in Gascony,[4] and Berducus of Marsan, the merchant, were also members of the Gavaston family, if not actually sons of Arnold William himself, but this has yet to be proved. The relationship of William of Marsan to the others is also a matter for speculation.[5]

So much for the Gavaston family. Of the other branch of the family, the Calhaus, the most important member in England at this time was Gavaston's nephew, Bertrand,[6] with whom Gavaston was closely connected, though he never seems actually to have been in his uncle's household. Bertrand seems to have been quite capable of making his way without his uncle's assistance.

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1 In Exch.K.R. Accts 374/14, ff.10, 11, there are entries recording the issue to Amy of Gavaston of cloth for the making of her summer and winter clothes.

2 V. supra, pp.52-3.

3 Cal.Pap.Reg., ii, 49. Arnold William appears as plain William in this entry.

4 He was Gavaston's clerk. (Foedera, II, i, 63.)

5 He received an annual pension of 20 livres chipotois (£10 sterling) for his lost Gascon properties. (I.R. 1321, m.1; cf. Exch. K.R. Accts 374/20, m.6, 325/12, m.1.)

6 Probably a nephew by marriage. For his possible relationship to the other members of the family, v. supra, p.59 and note 5, p.60 and notes 1 and 2.

There seems no doubt of his capacities. Apparently he was a diplomat of some distinction, for he spent his life partly in the Papal,[1] partly in the royal service in England.[2] It was Bertrand who was sent by the Pope to accompany Arnold, Bishop of Poitiers, to Edward ll, in order to remedy a verbal error in a charter which made void the grant of the castle of Blanquefort to Bertrand de Got, the Pope's nephew.[3] Similarly it was he who was chosen to be Gavaston's proctor at the court of Rome on the two occasions when Edward wished the ban of excommunication to be lifted from his favourite.[4] Such delicate missions would hardly have been entrusted to one whose ability was unequal to the task. It seems justifiable to assume, therefore, that Bertrand was a capable and trustworthy emissary. Nor was diplomacy the only field in which he proved his usefulness. He served in the Scottish campaign at the beginning of 1311,[5] and on

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1 In October, 1307, he came to England with Gaillard de Caisak as an envoy from the Pope to the king, on which occasion he received 50 marks by the king's gift. (Exch. K.R. Accts 373/15, f.20v.) He also served the Pope in a financial capacity, being one of the two agents who paid over to him the 37,070 florins raised by the papal agents in England. (Cal. Pap. Let., ii, 77.)

2 He received the usual wage of 1s.3d. per day as the king's yeoman, plus clothing for himself and his companions. For the fourth year of the reign he thus received £3.7s.6d. (Cott.Ms. Nero C viii, f.13; Exch. K.R. Accts 374/5, ff.30,31.) He had to petition for his wages on at least one occasion. (A.P. 284/14177.) He was sent to Ireland on the king's business in December, 1308, receiving 100 marks as a prest on his expenses. (Exch. K.R. Accts 373/24, m.2.)

3 Fœdera, ll, i, 57. Bertrand is here referred to by the Pope as familiaris noster et tuus. The mission was in August, 1308.

4 Ibid., ll, i, 88; C.P.R., 1307-13, pp.101, 396. On the occasion of Bertrand's second mission to Rome, he and his scutiferi were granted £102.17s.2d. out of the issues of the Isle of Wight, for their wages and the replacement of their horses. (L.T.R. Mem.Roll 82, mm.83, 87; K.R. Mem. Roll 85, m.97d.)

various occasions during the campaign, wine,[1] oats[2] and horses[3] were bought from him.

Apart from acting as Gavaston's proctor and as his financial agent on one or two occasions,[4] Bertrand's connection with his uncle seems to have been slight. Nevertheless, Bertrand seems to have profited considerably by his relationship to the favourite.[5] He received few money presents from the king, but several valuable grants of land. At the beginning of the reign, he benefited by his uncle's generosity in handing over to him the custody of the lands and tenements of Thomas of Audley,[6] though he seems to have experienced some difficulty in obtaining possession of it.[7] Bertrand was also granted the bailliage of Labouheyre and Born, together with Mimizan and their appurtenances and the harbourage of the Landes,[8] and

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5 (contd.) From 8 to 31 January, 1312, he received £4.16s. as wages for himself and his eight squires. (Cott.Ms. Nero C viii, f.10v.) He was still campaigning on 2 March. (A.C. xlix, no. 169.)

1 On 4 February, 1311, he appears as one of three who received £74.18s.10d. in payment of wine bought from them. (I.R.155, m.6)

2 On 18 December, 1311, he is recorded as receiving 60s. as a prest on the price of 10 quarters of oats bought from him. He is here described as a sergeant-at-arms, possibly through confusion with Raymond Calhau. (Exch. K.R. Accts 373/26, f.29v.)

3 On 23 February, 1312, he was paid £333.6s.8d. for 12 horses. (Cott.Ms. Nero C viii, f.62.) Apparently he only once gave the king a present of a horse. (Exch. K.R. Accts 373/15, f.20v.)

4 Whilst Gavaston was in exile in 1307, £20 was paid to him through Bertrand. (ibid., 369/16, f.13.) Again, in 1312, payment of a gift of 500 marks from Edward to Gavaston was made through him. (Cott.Ms. Nero C viii, f.88v.)

5 He received a present of 100 marks on 29 May, 1308 (I.R. 143, m.2) and one of 20 marks on 21 August, 1311. (Cott.Ms. Nero C viii, f.82.)

later successfully petitioned to hold the manor of Frodsham with all its franchises and customs,[1] together with the bailiwick which David of Holgreve had formerly held in the forest of Mare.[2] There is no reason for supposing that Gavaston was in any way connected with these later grants to his nephew. His part in Bertrand's advancement was probably finished when he brought him to the king's notice; Bertrand's own merits would have done the rest. Moreover, it must not be thought that Bertrand's employment in the royal service was a source of unmitigated profit to him; there is evidence that it involved him in considerable financial embarrassments. Early in 1310, we find Bertrand and five others[3] being paid £660 out of the issues of the custom on wool, hides and wool-fells in the port of London,

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6 (contd.)
V. Supra, p.108 and note 1.

7 Not only was he prevented by certain persons from making his lawful profit from the keeping of these lands, but the widow of Thomas of Audley held more than her rightful dower. (C.Ch. W., i, 281-2, 273.) A writ of extent was made out on 2 December, 1308 (C.Inq.pm., v, 31) and the dispute settled on 9 March, 1309. (C.Cl.R., 1307-13, p.140.)

8 G.R. 27, mm.15, 19. As late as 30 May, 1311 (the date of the grant was 14 January), orders were being made out for the delivery of the bailliage to Bertrand. (ibid., m.14.) On the following 16 August, the grant of the bailliage was made for life, but was vacated because surrendered and cancelled. (ibid, m.10.) V. A.P. 194/9662 for Bertrand's petition that the grant might be for life. (cf. C.W. 81/2346.)

1 This was granted to him on 8 August, 1312 (C.P.R., 1307-13, p.484) in answer to a petition which Bertrand presented some time before the previous October. (A.P. 194/9657; cf. C.W. 82/2411.) In the grant it is mentioned that Constance of Béarn, tenant for life of Frodsham, had demised it for term of her life to Gavaston. (cf. C.Ch.R., 1300-26, 202.)

2 Bertrand petitioned for this bailiwick at the same time as for the manor of Frodsham. (v. supra, note 1.) Both petitions

this payment probably being for loans or wages owing to them.[1] Later, on 28 January, 1312, a mandate was made out ordering the payment to him of the issues from the same custom until he should have received the sum of £429.13s.10d. due to him for horses bought from him and arrears of wages.[2] Eventually, however, payment was made to Bertrand by Anthony Pessaigne, to whom the custom was granted in compensation the following 22 February.[3] The king's debt to Bertrand on this account was exclusive of the £1,253.6s.8d., which he had spent on the king's behalf during his second visit to Rome in October, 1311, and repayment of which dragged on for years afterwards.[4]

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2 (contd.) were granted at the same time, but the original instrument recording the grant of the bailiwick is dated 22 October, 1311. (C.F.R., ii, 107; cf. C.Ch.W., i, 380.)

3 These five included two of Gavaston's associates, Robert of Knockin and Otto Ferre.

1 C.P.R., 1307-13, p.224.

2 C.Cl.R., 1307-13, p.396.

3 C.Cl.R., 1307-13, pp.404-5; cf. C.P.R., 1307-13, p.433; I.R. 163, m.2.

4 Bertrand's petition for the payment to him of the 1,250 marks which he had spent in the royal service on this occasion, and of the £420 which he had spent on bringing two clerks from the court of Rome on the king's service, was granted, but it was some time before he was recouped for this expenditure. The mandate ordering payment to him of the 1,250 marks out of the issues of Gascony is dated 6 August, 1312 (G.R. 29, m.19), but the following 7 April, Bertrand was granted the salt-spring of Agen instead. (ibid., m.9.) Later, by a mandate of 10 May, 1313, he was ordered to pay 350 marks to John of Hothum out of the revenues of the spring, but the refund of this money was ordered by letters dated 8 and 15 August. (ibid., mm.7, 13.) However, this 350 marks was eventually paid to John of Hothum by Bertrand in a series of six payment varying in amount from £5 to £60 and ranging over the period from 15 October to 23 November, 1313. (I.R. 167, mm.2, 3, 4, 6.) Presumably Bertrand eventually received the full amount of his 1,250 marks, but no subsequent mandate seems to have been issued regarding the £420.

(A.P.284/1429)

The many obligations under which the king stood to Bertrand are therefore sufficient justification for the many royal favours granted to him. Edward further showed his appreciation of Bertrand's loyal services by granting a petition which he presented on behalf of William of Bodley.[1] Despite his secure footing in the kingdom, however, there were doubtless occasions when Bertrand was glad to avail himself of his uncle's intervention on his behalf. Such an occasion occurred when he was banished from Gascony on a charge of murder. On 2 March, 1311, Gavaston wrote from Scotland to the earl of Richmond in Gascony, asking him to inform those whom it might concern that his cher nevew, Bertram Kaillou, was now in the king's service in Scotland and was ready to answer any charges against him before the ministers of the crown in Gascony.[2]

But if Bertrand seems occasionally to have turned his close relationship to the favourite to good account, he was certainly the only member of the family who did so. There is mention of a solitary gift of 100 marks to a certain Peter Calhau on 20 October, 1311, but there is nothing to connect Gavaston either with the gift or with the recipient.[3] Raymond

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1 On 4 March, 1309, William was exempted for life at Bertrand's instance, from prests of all customs and from prises and tallages. (C.P.R., 1307-13, p.159.)

2 I. Lyubimenko, Jean de Bretagne, p.141. Probably Gavaston petitioned the king as well. Apparently Bertrand eventually left Guienne of his own free will, however, for he later petitioned Edward to intercede with Philip to procure his recall from banishment. Edward promised to send letters to the Parlement of Paris on Bertrand's behalf. (A.P. 284/14177.)

3 This particular Peter took part in the Scottish campaign of 1310-11, accompanied by three squires. The four of them received £2 in wages from 22 to 31 January. (Cott.Ms. Nero C viii,

Calhau continued in the royal service as a sergeant-at-arms[1] until his death in February, 1314,[2] but there is nothing to connect him with Gavaston.

It is doubtful how far Gavaston remained in touch with the Calhaus in Gascony. At this time the most important members of the family there were Gavaston's cousin once removed, Peter III, lord of Podensac, and Arnold III,[3] to whom Gavaston was not related. They belonged to rival factions. Arnold kept up the family tradition by supporting the Coloms,[4] of which party he was now the virtual head. Peter, however, was a supporter of the Delsoler faction,[5] his son, Peter IV, being married in 1326 to Jeanne, daughter of Peter Delsoler.[6] Both

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3 (contd.) f.10v.) The gift was made to him on 20 October, 1311. (I.R. 159, m.1; 161, m.2.) Later, on 26 October, a mandate was made out ordering payment of £5.8s.4d. to Peter and his companions out of the issues from the Isle of Wight, but whether as a gift or as wages is not stated. (L.T.R. Mem. Roll 82, mm. 83, 87; K.R. Mem. Roll 85, m.97d.) This Peter may be identical with the Peter Calhau, nephew of Peter of Gabarret, who had a horse worth £50. (Exch. K.R. Accts 371/8, f.241v.)

1 Exch. K.R. Accts 365/10, ff.34, 97, 369/11, f.111, 373/26, ff.68v, 79; Cott. Ms. Nero C viii, ff.97v; 111, 117; Add.Ms. 8835, ff.113, 118; I.R. 141, m.2; Cal.Doc.Scot., iii, 411.

2 Ibid., iii, 90-1. Towards the end of Raymond's life, another Calhau, Fortunus, who was possibly his son, appears as a sergeant-at-arms, being paid the usual 1s. a day. He is first mentioned on 1 March, 1314. (Exch. K.R. Accts 375/9, f.18; cf. 376/11, f.6v, 378/4, f.31.) He was dead by September, 1322. (Stowe Ms. 553, f.113.)

3 For their relationship to each other, v. supra, pp.57-60 and table facing p.54.

4 John Colom was Arnold Calhau's heir. (A.P. 283/14139.)

5 One section of the Calhau family seems to have long been Solernian in sympathy. (C.Cl.R., 1279-88, p.127.)

6 Arch. Hist. Gironde, xxvi, 320-37.

Arnold and Peter were mayor of Bordeaux in their turn.[1] Of the two, Arnold was the more important, but as instigators of disturbance, there was nothing to choose between them. Under their partisan régime, which allowed the friends of the party in power to commit the greatest excesses with impunity, Bordeaux must have suffered grievously.[2] Possibly Gavaston's Gascon relatives supplied him with inside information on Gascon politics, which may have enabled him to advise Edward regarding the best means of restoring order there,[3] though this is pure speculation, but it seems unlikely that the family's distant relationship with him would have profited them in any way in their dealings with the king and the English government. Professor Tout warned us against overstressing Arnold Calhau's acquittal in 1317 on twenty-five charges of violence, extortion and contempt of the king's majesty as seneschal of Saintonge, but he had not worked out the ramifications of the Calhau family and was under the impression that Arnold was a relative of Gav-

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1 Arnold was mayor in 1303, 1305, 1307, 1309, Peter in 1308.

2 The disorder which marked the early years of Edward II's reign in Gascony and especially in Bordeaux, has been described in detail by Bémont. (Rev. Hist., cxxiii, 260-6; v. also Baldwin, The King's Council, pp. 377, 467.)

3 Edward very early turned his attention to Gascony. In October, 1309, he sent out John of Hastings to enquire into the causes of the disorder, but recalled him shortly afterwards for the Scottish war. He then sent out two commissioners, the Bishop of Norwich and the earl of Richmond, who were accompanied by Guy Ferre and William Inge, to attempt a settlement of affairs in Bordeaux. They managed to organise a third party, composed largely of merchants, which engineered a coup d'état in February, 1311 and nominated its leader as mayor. The action of Edward's commissioners was certainly justified by results, for peace and justice were supreme for years afterwards. Towards the end of 1311 and again in 1316, John Colom organised insurrections, but both were put down by the seneschal.

aston's nephew.[1] Now that it has been shown that Arnold was not related to Gavaston, there is no reason to suppose that it was owing to any machinations on the favourite's part that Arnold's questionable conduct was not censured. In any case both his preferment as seneschal of Saintonge[2] and the enquiry into the charges against him occurred after Gavaston's death, so in this particular instance Gavaston's responsibility would be altogether out of the question.[3]

Gavaston's association with those Calhaus to whom he was related, Peter lll and his brother, Bertrand,[4] seems to have been either non-existent or else very slight. Certainly his relationship to Peter did not prevent Edward from sending two hundred men against him in 1311, when he tried to free himself from the obligation of rendering homage for the barony of Podensac,[5] though it may possibly account for his being taken under the king's special protection on 17 July, 1311, when a mandate was made out ordering the mayor of Bordeaux not to molest him or his friends, since they were ready to answer the charges against them[6] before the seneschal. Towards the end

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1 Place of Edw.ll, p.199.

2 This took place on 2 April, 1313. (Carte, i, 45.)

3 It may be noted in this connection that Hugh le Despenser evidently thought highly of him. (A.C. xlix, no.115, l, no.94, liv, nos.1, 4, 18.)

4 Apart from Bertrand's implication in the outrages committed by his brother (Rev. Hist., cxxiii, 263), we know little of his activities, except that he was evidently associated with John Colom. (A.C. xlviii, no.153, xlix, no.133.) He may have been the father of the Bertrand who is referred to as Gavaston's nephew. (v. supra, pp59 and note 5, 60 and note 1.) It is unlikely that he is identifiable with the Bertrand who is mentioned as mayor of St Emilion on 14 January, 1310. (Arch. Hist. Gironde, xi, 138.) He was alive in February, 1326. (Fœdera, ll, i, 620-1)

of his life,[1] Peter's interest in the politics of Bordeaux seems to have waned, perhaps because he was preoccupied with safeguarding his position as lord of Podensac. Apparently neither he nor Bertrand ever forfeited the king's favour,[2] but we do not hear that this was due to any exertion on Gavaston's part.

In default of definite evidence to the contrary, it is tempting to assume that after his migration to England, Gavaston was minded to discontinue his connection with his relatives in Gascony. This being so, the charge against him of filling the court with foreigners[3] breaks down almost automatically. The only foreigners with whom there is evidence that Gavaston had dealings are his bankers, the Frescobaldi, and his financial agents, Bertrand Assaillit[4][5] and Berducus or Bernard of Marsan.[6]

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5 (contd.) Lyubimenko, op.cit.,p.95.

6 (contd.) G.R. 28,mm.11,12. Bertrand is here referred to as the king's yeoman.

1 He apparently lived to serve Edward III. In 1330, orders were given for the payment to him of arrears of wages and compensation for a horse he had lost. (Exch. Treasury of Receipt, Books, 78,f.16.)

2 Peter received several marks of favour from the king. In July, 1311, he was granted the manor of Condat (G.R. 28,m.11), and in a letter of 18 March,1325, was commended for his good service and promised suitable rewards. (Fœdera,II,i,596.)

3 Gesta Edw.,ii,32; Trokelowe,p.66.

4 Bertrand Calhau is sometimes referred to as Gavaston's financial agent (Tout, Place of Edward II,p.75), but I have found only ~~two~~ instances of his having acted in that capacity for his uncle. (v. supra,p.166 and note 4.)

5 He was at first Gavaston's yeoman (Cott.Ms. C viii,f.87v.) and after his death, the king's yeoman. (C.P.R.,1307-13,p.484.)

6 He may possibly have been a son of Arnold William of Marsan.

There is nothing remarkable in Gavaston's employment of foreign merchants; it seems to have been a common enough practice in all ranks of society from the king downwards.[1] Nor can Gavaston be blamed if he made use of these merchants to transport his wealth abroad for him when the question of his third exile became imminent,[2] for, as has already been remarked, no provision, either in money or lands, was made for his support on this occasion. There is no record that Gavaston ever sent money abroad until the close of 1311, when we find him despatching Blasius de Shenes, one of the society of the Frescobaldi, to Brabant and other foreign countries on business, doubtless in connection with the transport of Gavaston's wealth.[3] Then, on 6 February, 1312, Thomas de la Hyde, steward of Cornwall, delivered £853.6s. 8d. to Bertrand Assaillit and Bernard of Marsan by Gavaston's command.[4] It seems very doubtful, however, whether this money was ever allowed to leave the country.[5] It may be remarked in

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6 (contd.)
Later he became a king's yeoman, but whether of Edward II or Edward III is uncertain. (A.P. 176/8782.)

1 Bertrand and Peter Calhau were among their debtors. (C.P.R., 1307-21, p.249; Inventaire-sommaire, Gironde, iv, 43) John of Marchfield, the parish priest of Escrick, was another. (C.P.R., 1317-21, p.249.)

2 V. supra, p.122, note 4.

3 Cott.Ms. Nero C.viii, f.83v.

4 C.P.R., 1307-13, p.417. There was nothing underhand about this transaction. It apparently took place with the king's full approval. There is a royal mandate dated 28 September, 1311, ordering Bertrand and Bernard, together with Gaillard Assaillit, to join Gavaston and to attend to him and his affairs. (C.Cl.R., 1307-13, p.445.) Bertrand received a gift of £5 the following 3 February for his expenses in going to Cornwall on this occasion. (Cott.Ms. Nero C viii, f.87v.)

this connection, that, although the second Ordinances specifically charged Bertrand Calhau and his fellow Gascons with exploiting the earldom of Cornwall and especially its mines,[1] this is the only evidence we have that Gascons ever visited Cornwall. It was left to the earl of Pembroke, after Gavaston's death, to appoint Anthony Pessaigne of Genoa to the office of buyer of tin from the royal mines in Cornwall.[2]

There seems little doubt that Gavaston availed himself of the facilities offered him by Gascon and Italian merchants to make provision against his final exile. How far these merchants profited by their association with him is another matter. Neither Bertrand Assaillit nor Bernard of Marsan seems

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5 (contd.)
After collecting this money for Gavaston, Bertrand and Bernard were entrusted by the king with 1,000 for certain affairs of his in Gascony, but were arrested at Plymouth when about to embark. Their release was ordered by letters of 6 April, 1312. (C.Cl.R., 1307-13, p.417.) Bertrand seems to have been more disliked than Bernard, for, instead of being released, he was confined even more closely. A stricter mandate for his release was drawn up on 26 April. (ibid., p.461.) Orders were given for the return of the money to the king, and of their clothes and goods, to the arrested parties (C.P.R., 1307-13, pp.465,484.), but nothing is heard of the ultimate fate of Gavaston's money.

1
V. infra, p311. I have found no accounts for Gavaston's mines in Cornwall. Certain of the mines were still owned by the king. Exch. K.R. Accts 261/11 contains two accounts for tin-mines there which are both headed Rex. Possibly, since both accounts are for periods during which Gavaston's possessions in Cornwall were in the king's hand, some part of this tin may be from his mines, but there is no indication that this is so. These accounts show that from 2 July to 5 September, 1308, 343,218 lbs. of tin, worth £686.10s.11d., were mined from the stannaries at Lostwithiel and Truro, whilst from 8 January to 22 May, 1309, 468,694 lbs., worth £937.11s.6d., were taken from those at Lostwithiel, Truro and Helston. The tin mines in Cornwall were evidently a considerable source of royal revenue.

2
The appointment was evidently very unpopular, and Pembroke incurred the charge of 'evil counsel' for his share in it. For

to have been a man of unblemished reputation. On 10 April, 1303, Bertrand Assaillit and Garsie de Sauterre were pardoned for various robberies which they had committed in Kent and in the city.[1] Again, on 18 September, 1311, both Bertrand and Bernard, together with Gaillard Assaillit, perhaps Bertrand's brother, received a general pardon on account of their good services in Scotland.[2] It must not be overlooked, however, that Gavaston never employed either of them in any permanent capacity: they seem to have been in the king's service just as much as in his.[3] With regard to the Frescobaldi, it seems superficially that they felt the benefit of their business association with Gavaston,

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2 (contd.) the attempts made by John of Bedewynde, the custos of Cornwall, to render Anthony's commission null and void, v. Conway Davies, op.cit., p.553, no.19; cf. C.Inq.Misc., ii, 145.) In 1316, the miners procured the revocation of the patent. (Tout, Place of Edward II, p.199; G.R.Lewis, The Stannaries, (1906), pp.142-3, 241-2.)

1 C.P.R., 1307-13, p.130.

2 Ibid., p.395.

3 They both became king's yeomen eventually. (v. supra, p.173 and notes 5 and 6.)

for we have the testimony of Amerigo himself that Gavaston helped them.[1] But it is easy to over-stress the significance of this evidence. All that Amerigo says, is that he fears the Frescobaldi will all be arrested, for Gavaston is acquiescing in the baronial decrees and having to quit the country, and is therefore in no position to aid them as he had formerly done when he and Amerigo were a power in the land.[2] Dimitresco[3] has interpreted this passage to mean that Gavaston was actively associated with the Frescobaldi, and that he helped to aggravate the financial crisis through which the country was passing. There is no proof, however, that such a financial crisis ever existed:[4] certainly the country seems to have suffered from no great shortage of money.[5] In these circumstances, Gavaston's connection with the Frescobaldi can hardly have been productive of evil consequences to the realm. In any case, they were already firmly entrenched in England in a financial sense, and were not beholden to the favourite for their privileged financial position. We know, however, that the society's widespread activities made them

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1 The passage occurs in a letter from the temporary keepers of the office of constable of Bordeaux and receivers of the revenues of Aquitaine, to the Bishop of Norwich. Much of this letter is a résumé of two letters from Amerigo which were found in the possession of Guelph dei Frescobaldi when he was arrested, and which were concerned with advising him what preparations to make to counteract the decree of banishment against the society. The letter is printed almost in its entirety by Bond (Archaeologia, xxviii, 249-50) and is summarised by Dimitresco (pp.64-5).

2 Et quod ipse, ipsis juvare non posset sicut prius quando comes et ipse Emericus tenebant statum suum et erant in dominio suo.

3 P.67.

4 There was much hardship throughout the country on account of the severe frosts and storms of 1309 (Ann.Lond., i, 158; Ann.Paul., i, 268; Aungier, *sit p.35; cont. of Trivet, p.8), which were followed the

very unpopular, and they must often have felt the need of a friend at court to ease the difficult situations in which they found themselves. Gavaston would probably have had no objection to playing the rôle of protector to his bankers, if only to insure his own interests.[1] It was in their hour of need that the Frescobaldi would have called upon him, not at a time when all was well with them. Read in this context, Amerigo's reference to Gavaston's now being in no position to help them as he had done in the past, can mean no more than that it was now useless to look to the favourite for the protection which he had formerly offered them, when their unpopularity threatened their continuance in England. We must therefore look elsewhere than to Gavaston for the reason for the admission of Bertus dei Frescobaldi to the king's privy council,[1] for we have no actual proof that his patronage of Italian and Gascon merchants ever showed itself in the political or the administrative sphere.[2]

The charges against Gavaston of wholesale nepotism and of questionable dealings with foreign merchants having been disproved, it yet remains to be seen whether he used his position to insinuate his personal friends into the king's favour.

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4 (contd.) next year by bad harvests (cont. of Trivet, p.8; cf. Gesta Edw., ii, 48), but, though the price of wheat rose in consequence, there is no mention of actual dearth. (Ramsey, Revenues, ii, 98; Rogers, Prices, i, 196, 238; cont. of Trivet, p.8.)

5 On 2 August, 1310, the acceptance and currency of foreign money was forbidden, (Fœdera, II, i, 114), but such an ordinance was by no means peculiar to Edward II's reign.

1 C.P.R., 1307-13, p.305. Anthony de Ursis, Bishop of Florence, was admitted at the same time. It was certainly unusual to admit foreigners to the privy council.

As a preliminary to the investigation of Gavaston's potentialities in this direction, it may be remarked that it is most unlikely that there is any truth in the contemporary allegation that Gavaston procured blank charters from the king. Blank charters, albeit sealed with the Great Seal, would be worthless without the names of witnesses. As has already been shown, the charters made out in Gavaston's favour were all duly witnessed,[1] and the two charters which were granted at his instance are similarly duly attested.[2] In any case, if Gavaston's influence over Edward were as great as is commonly supposed, there seems no reason why he should have gone to the trouble of procuring blank charters when the king was always ready to do as he suggested.[3]

The most damning piece of evidence in the charge against Gavaston of having filled the king's household with men of his own choosing is the list of undesirables contained in the second Ordinances,[4] no less than four of the royal officers objected to by the Ordainers having actually been members of Gavaston's household and three others having been closely associated with him.[5] Superficially, therefore, it seems that Gav-

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2 (contd.)
Gavaston must also have had dealings with the City merchants, for on 10 July, 1310, William Servat acknowledged before the barons of the Exchequer that he owed Thomas de la Hyde, Gavaston's steward of Cornwall, the sum of £1,086.18s. 5½d. (L.T.R. Mem. Roll 81, m.84; K.R. Mem. Roll 84, m.47.) This is the sole example, however, of Gavaston's being associated with London merchants.

1 V. supra, pp.101 and note 1, 112, notes 1,2 and 3, 115, note 6, 116, note 1, 120, note 5, 121, notes 4 and 5.

2 C.R. 97, mm.7,21. One is a grant of free warren and the other of free warren and a yearly fair.

3 For this charge against Gavaston, v. Statutes, 1, 157-67; XXXX

aston took advantage of his privileged position to find lucrative posts at court for his friends. This evidence, however, is at most only circumstantial; it gives us no actual proof that it was through Gavaston's agency, and not by reason of their own merit, that these former members of his household were adopted into the royal service. Again, even if Gavaston were anxious for the advancement of his own men, it cannot justly be said that he abused his position in this respect until it is known how far it was customary for the earls to foist their nominees into the king's service. In these modified circumstances, it is more than possible that the underlying motive for the presentation to the king of the second Ordinances, was the other earls' jealousy of Gavaston's success in placing his own men in official positions at court, for it can readily be imagined that Edward would be more inclined to accept the protégé of his brother Peter than a man who was sponsored, say, by his cousin, Thomas of Lancaster. In any case, with the exception of the unsubstantiated example given by the author of the Vita Edwardi,[1] there seems only one instance of Gavaston's having deliberately ousted the king's officers in favour of nominees of his own. This is to be found in an inquisition of 24 March, 1324, where it is stated that Gavaston, on arrival at Knaresborough in the king's company on 8 September, 1307, deposed John le Pavelly, who

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3 (contd.) Chron. Melsa, ii, 326.

4 V. infra, pp.311-12. They included John of Charlton, the king's chamberlain.

5 Ibid., loc.cit.

1 V. supra, p.152.

held the post of keeper of the king's park at Haye, at farm from Gilbert le Forester,[1] and appointed other keepers in his stead, on the grounds that he was keeping the park inadequately. Probably the new keepers were Gavaston's own men, though we are not definitely told so, but in any case their appointment seems to have been justified. Gavaston also had the appointment of a clerk to keep one part of the seal of the town of Bodmin, but, since the office was apparently created by a writ which regulated the use of the seal,[2] he can hardly be accused in this instance of ousting anybody in favour of a nominee of his own.

There is not much evidence either that Gavaston was unduly interested in procuring grants and privileges for those whom he favoured. Considering that his influence with the king was popularly believed to be paramount, the number of writs under the Great Seal and the Privy Seal which were issued at his request, cannot be termed excessive. Before his arrival in Ireland, his name appeared in that capacity only fourteen times,[3]

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1 As John held the post at farm from the real forester, it is doubtful whether he can technically be termed a 'royal ' minister. Nevertheless, Gavaston had no right to dismiss him from his office: the dismissal and appointment of forest officials came within the province of the justice of the forest. (Cf. the terms of Gavaston's own appointment: C.P.R., 1307-13, p.295.)

2 Dated 3 June, 1311. (C.Ch.W., i, 367) Probably the appointment was left in Gavaston's hands on the grounds that, as earl of Cornwall, he would be most likely to know of the man best suited to the post.

3 Of these fourteen acts, two are licences to alienate in mortmain (C.P.R., 1307-13, pp.25, 31), three are grants of land (ibid., pp.56, 60; L.T.R. Mem. Roll 78, m.65d; K.R. Mem. Roll 81, m.33d.), two are grants of the smaller

whilst after his return from exile there his activity as a petitioner and adviser became even less marked, only ~~twelve~~ eleven more acts resulting from his ~~intervention~~ mediacy.[1] None of these twenty-~~six~~ five acts is of any great importance, and only one has any administrative significance.[2] Probably Gavaston felt some interest in the people on whose behalf he was petitioning, but, except for one instance, there is nothing to connect him with them. The exception is the appointment of William of Skelton, a yeoman of William of Vaux, who at one time acted as attorney for Gavaston, as bailiff errant of Holland.[3] This is interest-

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3 (contd.)
seal of Norwich and York respectively (C.P.R., 1307-13, pp.26,79), one is a general pardon (ibid., p.137), one, an appointment (ibid., p.80), one, the grant of a marriage (ibid., p.83; C.Ch.W., i, 275), one, an order for the payment of arrears of maintenance (ibid., i, 276), one, the permission to Bevis of Knovill to take up his lands after having done homage (C.F.R., ii, 3) and one, an order to the Treasurer and barons of the Exchequer to examine the charter of the Cornish tin-miners to ascertain whether they were exempt from a thirtieth and a twentieth due to Edward I and a twentieth due to Edward II. (L.T.R. Mem. Roll 78, m.21d; K.R. Mem. Roll 81, m.19) The fourteenth was made out under the Exchequer seal and the purport of it is unknown. (L.T.R. Mem. Roll 78, m.68; K.R. Mem. Roll 81, m.35.) Certain of these acts are discussed more fully below, pp. 219 and note 3, 220 and note 2.

1 Of these, three are pardons, one for conspiracy, another for burglary and the third for an unspecified offence (C.P.R., 1307-13, pp.277, 356; C.Ch.W., i, 328, 329; L.T.R. Mem. Roll 81, m.14; K.R. Mem. Roll 84, m.7), two are grants of free warren (C.Ch.R., 1300-26, pp.139, 166), one is a licence to acquire in mortmain (C.P.R., 1307-13, p.181) and another, a licence to demise certain manors. (ibid., p.205), one is the appointment of a commission to hear and determine in respect of certain trespasses committed against Thomas of Richmond, whilst he was in the king's service (C.Ch.W., i, 368) and another, permission to the Bishop of Exeter to commute his service of 2 knights' fees for the Scottish war, by the immediate payment of 100 marks at the Exchequer. (L.T.R. Mem. Roll 81, m.11; K.R. Mem. Roll 84, m.6.) The grant to Henry Percy, on 26 October, 1309, of licence to hold the castle and manor of Alnwick of the Bishop of Durham, was made out, not at Gavaston's request, but on his information. (Fœdera, II, i, 96; C.P.R., 1307-13, p.197.) For the eleventh, v. infra note 2.

ing, not only as showing that Gavaston was ready to promote those who were connected with him or his familiars, but also because William of Skelton petitioned Gavaston to use his influence on his behalf.[1] This is the only example I have found of a petition addressed to Gavaston, but it is probably typical, for with his close proximity to the king it would have been strange if he had not been inundated by requests to use his influence with him.

It is impossible to trace any connection between Gavaston and the other recipients of his bounty, but it is easy to over-stress his disinterestedness. In the first place, we have no means of knowing whether or not he had an ulterior motive for procuring those grants and favours which were definitely stated to proceed from his instrumentality. Secondly, there was seemingly no law governing the omission or insertion in a grant or writ of the name of the person at whose instance it was made. Hence many charters, letters patent and mandates were doubtless issued at Gavaston's request which bear no trace of it.[2]

We are on safer ground when we attempt to estimate

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2 (contd.) V. supra, p.151, note 2.

3 (contd.) C.P.R., 1307-13, p.80.

1 William begged Gavaston to ask the king to appoint him bailiff errant and to allow him to place a lieutenant in the post, as he himself was in the king's service in Knaresborough castle. (Ch.W. 60, no.227B.) The appointment was made on 27 June, 1308.

2 Some idea of how Gavaston sometimes exercised his influence is to be found in a mandate directed to the Chancellor and the

how far he exploited the royal revenues on behalf of his personal retinue. It can unhesitatingly be said that his followers cost the treasury very little. There is only one instance of the grant of a life pension for good service to Gavaston and this was only for the reasonable sum of 10 marks per annum.[1] Of the other gifts to his retainers the most outstanding is one of £30 which was given to John of Sapy, one of Gavaston's knights.[2] The remaining presents in all amounted only to £25 odd and ranged in value from ½ mark[3] to £6.13s.4d.[4]

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2 (contd.)
Treasurer, ordering an examination of the petitions formerly handed to the Treasurer by Gavaston, which Sir John FitzThomas had now sent to the king on behalf of himself and Walter of Islip, (C.Ch.W.,i,270.) It was probably a common practice to address a petition to both the king and the favourite at the same time.

1
This was granted to Henry Gome of Guildford on 4 November,1309. (C.P.R.,1307-13,p.197; cf. L.R. 86,m.2, 88,m.3; I.R. 154,m.6.)

2
Given to him on 14 October,1311 in order to buy a bed. (Cott. Ms. Nero C viii,f.83.)

3
This sum was commonly paid to those who led horses from Gavaston to the king. (ibid.,ff.84v,85,85v; Exch. K.R. Accts 374/7, ff.8,18) Gavaston's garciones were not the only ones to be thus favoured. (v., e.g., Cott.Ms. Nero C viii, for similar gifts to the garciones of Arnold William of Marsan and Bertrand Calhau.) When John of Waltham led a horse and harness from Gavaston to the king, however, he received a present of £1. (Exch. K.R. Accts 374/7,f.22.)

4
Received by Agnes, Gavaston's nurse, on 5 February,1312. (Cott. Ms. Nero C viii,f.87v.) Gavaston's washerwoman, Mathilda, received a gift of £1 on setting out for the court of Rome on 6 January,1311. (Exch. K.R. Accts 374/7,f.27.) The other presents comprise two of five pounds respectively to William of Clopton, Gavaston's yeoman of the chamber, and to William Parvus, one of Gavaston's archers, and eleven companions. (Exch K.R. Accts 374/7,ff.31,21.) On another occasion William Parvus and three companions received £1 from the king. (Cott.Ms. Nero C viii,f.87v.) Gavaston's archers also received £2 as a gift on 11 September,1310, and a further £1 the following 25 October. (Exch. K.R. Accts 374/7,ff.13,18.)

Perhaps Gavaston's position in the kingdom is best illustrated by the fact that he several times appears in the rôle of petitioner. His petition to Richmond on behalf of Bertrand Calhau was probably exceptional.[1] More ordinary were those addressed by him to the Treasurer and barons of the Exchequer.[2] Probably such petitions were largely a matter of form, and Gavaston would have brought pressure to bear if his requests were not acceded to. We know of at least one instance, however, when a petition from him failed. This was a request from Gavaston to the Mayor and aldermen of the city, on 21 October, 1307, to appoint his yeoman, John Albon, to a vacant post. The king also wrote in support of Gavaston's application. Nevertheless, the reply was that the appointment had already been filled at the request of the earl of Lincoln and by the common consent of the aldermen and citizens, and so could not be changed.[3] No attempt seems to have been made by the king and Gavaston to oust Lincoln's protégé, so presumably Gavaston acquiesced in the city's choice. It is thus evident that, even when backed by the king, Gavaston was not always successful in his efforts to secure preferment

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1 (cont.)
V.supra, p.169 and note 2.

2 One of these is on behalf of his bachelor, Thomas of Chaucumbe, requesting speedy payment of the debt due to him, as Gavaston wished him to return quickly. (A.C. xlix,no.170.) The other is a request to the Treasurer to put in respite the debt which John of Wyntreshull owed the king. (L.T.R. Mem. Roll 80,m.14; K.R. Mem. Roll 83,m.12.)

3 Riley, Memorials,pp.69-71.

for his retainers, but had to take his turn with the other earls in the competition for appointments.

This closer study of Gavaston's position has cleared him of the charges alike of being the power behind the throne, the real ruler of the kingdom, and of abusing his position as the king's most intimate friend in the interests of himself and his friends; whilst the only allegation against him that is founded in fact, viz. that of sending money abroad by foreign merchants, has been shown to be grossly exaggerated.[1] On the whole, therefore, Gavaston seems to have acted throughout with commendable prudence and circumspection. It makes little difference that the instances quoted above probably represent but a fraction of ~~Gavaston's~~ his activities in the matter of petitioning and advising the king.[2] The salient fact about Gavaston's position is its private nature. He was primarily the king's friend and only incidentally his counsellor. If Edward asked his advice, Gavaston would give it: otherwise he was content to enjoy the king's close favour. The way in which Gavaston deliberately sought to efface himself and his influence suggests that he was aware of his unpopularity among the other earls and tried to placate them by minimising his power over the king, ~~for the~~

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[1] V. supra, pp. 155, 174 and note 4.

[2] It may be remarked in this connection that many of Gavaston's acts in Ireland would have escaped record but for the fortunate preservation in documents of later date, of references to Gavaston's share in them. V. infra "Gavaston in Ireland."

for the energy which he showed in Ireland and against the Scots shows that his keeping aloof from domestic politics did not spring from laziness. Any doubt regarding the moderation of Gavaston's conduct is set at rest, as will shortly be shown,[1] by his irreproachable performance as Regent in England during Edward's absence in France. The wary way in which Gavaston ~~XXXXXXX~~ seemingly abstained from a too active participation in administrative affairs at a time when he was supreme in the kingdom, however, bears witness to the need for the exercise of Gavaston's discretion no less than to its existence. In these circumstances it may be permissible to add to the Malmesbury writer's speculations on the subject of Gavaston's unpopularity with the other earls,[2] that if Gavaston had only carried into the ordinary affairs of life the circumspection which he showed in public matters, his acceptance as a member of the nobility and one of the king's counsellors might eventually have followed.

c) Gavaston as Regent in England (21 January - 7 February, 1308).

In December, 1307, Edward began to prepare for his journey to France to marry Isabella, daughter of Philip the Fair, to whom he had been betrothed since 1299.[3] Foremost among his preparations was the appointment of Gavaston as custos regni during

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1 V. infra, pp.188-95.

2 Vita Edw., ii, 168.

3 By the Treaty of Montreuil of 19 June, 1299, between England and France: a preliminary award, in almost identical terms, had been made by Boniface VIII on 28 June, 1298.

his absence. This was on 26 December, 1307.[1] The general terms of the appointment were made more precise on 18 January, when Gavaston was given the power to issue licences to elect in dioceses and monasteries and to confirm such elections, to make restitution of temporalities, to collate and present to prebends and other ecclesiastical benefices in the royal power, and to ordain in respect of any wardships or marriages which might fall to the absent king.[2]

During Edward's absence, Gavaston reached the zenith of his power in England, since for a short time he had perforce to be treated with that respect which was normally due only to the king's own person. It is difficult to estimate the effect of Gavaston's Regency on the baronage. Undoubtedly, in the circumstances, the appointment was to be expected. Gavaston was by marriage a member of the royal family, and, as such, his claims to be appointed _custos_ ranked higher than those of such magnates as the earls of Lincoln and Pembroke, who were more distantly related to the king, though not as high as those of Edward's cousin, Thomas of Lancaster. But of the unwisdom of Edward's choice there can be no doubt, if only because it confirmed the worst forebodings of those who prophesied evil from the king's marked preference for Gavaston. However much Edward was his own master in the matter of choice - no one of the earls could claim

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1 _Fœdera_, II, i, 24; _Parl. Writs_, II, ii, app., 9; _C.P.R., 1307-13_, p.31.

2 _Fœdera_, II, i.28; _C.P.R., 1307-13_, p.43.

any right to be appointed Regent during the king's absence,[1] - he would have done well to defer to public opinion, until the position of his favourite was better established. Gavaston's tenure of supreme power, however, was of such short duration, that baronial wrath could scarcely have been unduly inflamed by it. The slight impression which it made on the contemporary mind, may be gauged by the bare references to it in the chronicles.[2] Only the writer of the Polistorie gives any description of Gavaston's bearing during his Regency, and, since his charge of overweening pride on the part of the favourite during this period resolves itself into the reproach that he so far entered into the spirit of his appointment as to insist that the magnates should kneel before him when petitioning or counselling him, it can be gathered that Gavaston's conduct as the king's lieutenant was neither so overbearing nor so outrageous as to incur universal odium, yet sufficiently exasperating as to provoke a feeling

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1 There was no law governing the appointment of a Regent. When Edward 1 left for France in April, 1279, he appointed as his locum tenentes the Bishops of Worcester and Hereford and the earls of Cornwall and Lincoln. (Fœdera, 1, ii, 568) Again, in May, 1286, Edmund, earl of Cornwall was left in charge of the kingdom, though apparently not appointed actual custos. In August, 1297, Edward of Carnarvon was appointed Regent with an advisory council to assist him. (Foedera, 1, ii, 876) If precedent were to be invoked in 1307, it was, if anything, in favour of the appointment of the earl of Cornwall. On the two later occasions on which Edward 11 journeyed to France, he left the Great Seal in the custody of the Bishop of Worcester in 1313 (C.Cl.R., 1307-13, p.583: the continuator of Trivet (p.10) wrongly gives the Bishop as of Bath and Wells), and appointed Pembroke as custos (in the same terms as Gavaston's appointment) in 1320. (Fœdera, 11, i, 426)

2 Gavaston's Regency is ignored by the Annales Londonienses and the Gesta Edwardi, and is barely mentioned by the Annales Paulini (i, 258), the Annals of Oseney (p.342), the Chronicle of Melsa (ii, 279), Ranulph Higden's chronicle (viii, 296) and the chronicle of Henry of Knighton (p.405). The writer of the Vita Edwardi (ii, 157) and Trokelowe (p.65) record the surprise and resentment caused by the appointment.

of resentment among his equals.[1]

An analysis of the routine mattered transacted during Gavaston's Regency shows it to have been in no wise extraordinary.[2] Edward set sail from Dover on 21 January, taking the Great Seal with him, and on the same day a writ was made out there, sealed with a seal which had recently been made in London in anticipation of the king's absence, under the teste of the earl of Cornwall.[3] Of Gavaston's acts as Regent, three are judicial, two, financial and three, ecclesiastical, six relate to preparations for the king's return, six are letters of protection or attorney, eight relate to escheats and wardships, and one is an appointment. Except for this last, all these acts seem to be purely formal administrative technicalities.

Gavaston's judicial acts can be briefly dismissed. On 22 January, Robert Terry of Whitfield and Geoffrey, son of John le Taillur, of Dodford, both in prison at Northampton for the deaths of Galianus of Beck and William the Smith respective-

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1 Harl.Ms. 636,f.232: Puis kant le roy cum desus est dist la mer passa pur esposer la file au roy de fraunce, le avaunt dist Peres gardeyn dengleterre demora, assigne de par le roy.. E si haute manere de porture lors emprist ke les cuntes a li venuz pur parler des bosoignes engenulant les suffrist lurs resuns devaunt li mustrer, car ne les tint a li de value et ne se avisa del sage ke dist - Orgoil du povre haut levee, resun ne siet ne mesure pur ceo sodeyn reverse chet avaunt ke doune cure.

2 Gavaston accompanied Edward to Dover. About 11 January, he was at Peterborough, where he received letters from the Treasurer (Exch. K.R. Accts 373/15,f.26v.), but he arrived at court with many others on the 13th. (ibid., 373/6,m.2) Those accompanying the king included the earls of Surrey, Hereford and Pembroke. (ibid., loc.cit.)

3 This appears from a memorandum on the Fine and the Close Roll that on 20 January, the Great Seal was delivered to the king at Dover by the Chancellor, and that he handed it immediately to William of Melton to take with him overseas in the Wardrobe,

ly, were granted letters of bail addressed to the sheriff.[1] From Dover, where these letters were sealed, the Regent moved to Canterbury, where he sealed a mandate directed to the sheriffs of London, ordering them to admit to bail twelve men-servants of Adam of Kingsmead, imprisoned at Newgate for trespassing against the king's men at Westminster.[2]

The two writs attested by Gavaston which were sent to the Treasurer and barons of the Exchequer were intended to enforce the execution of two of Edward 1's writs. In the first, which was dated from Leeds castle on 27 January, it was ordered that the abbot of West Dereham in Norfolk should be quit of a certain 100s. which he had paid to Edward 1 for licence to enter certain tenements in Ringland, according to the tenor of the late king's writ.[3] In the other, it was directed that Edward 1's writs pending in the Exchequer should be enforced against the burgesses of Great Yarmouth, notwithstanding his alleged orders to the Treasurer and barons to make certain allowances to them in respect of the debts which they owed him.[4]

Of Gavaston's ecclesiastical acts, one is a licence to elect an abbot,[5] one a presentation to a benefice,[6] and the third, a letter to John Langton, Bishop of Chichester, the Chan-

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3 (contd.) and that he then, with his own hands, delivered to the Chancellor the temporary seal mentioned in the text, with which on the Monday following the king's embarkation, i.e. 21 January, Gavaston sealed writs. (Fœdera, II, i, 29; Parl. Writs, II, ii, app., 9; C.F.R., ii, 13)

1 C.Cl.R., 1307-13, p.18.

2 C.P.R., 1307-13, p.18. The writ is dated 24 January.

3 L.T.R. Mem. Roll 78, m.32.

4 C.Cl.R., 1307-13, p.19. The

cellor, ordering him to hear before him the case of Robert of Clavering, parish priest of Ewer, and deal with it according to the law and custom of the realm.[1] All three writs are dated from Leeds castle on 26 January.

Gavaston's preparations for Edward's return consisted of the issue from Dover on 22 January, of letters to the earl of Norfolk, the countess of Hereford and Essex, Henry of Lancaster, Robert of Montacute and Aymer of Saint Amand, requesting them to be at Dover by the Monday after the Purification, 5 February, to accompany the Queen to London,[2] and of a mandate to the sheriff of Kent ordering him to provide wood and charcoal for the king's household on his return.[3]

On 22 January, too, ~~The same day~~, letters of protection were granted to Payn Tybotot and John of Bracebridge, who were going abroad with the king,[4] and to John of Haulo (or Hanlo), who was accompanying the earl of Surrey.[5] Later,[6] letters of protection were made out in favour of Guillot le Sautreour, who was staying in France with

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4 (contd.) writ is dated at Ewell on 3 February.

5 This was given to Richard of Wenlock and Yvo of Wilseys, canons of Lilleshall, when they brought news of the resignation of the late abbot. (C.P.R., 1307-13, p.44)

6 John, son of John Alunday of Knapton, was presented to the church of Reydon in Norwich. (ibid., p.45)

1 A.C. xxxv, no.57.

2 Foedera, II, i, 30; Parl. Writs, II, ii, app., 9; C.Cl.R., 1307-13, p.51.

3 Ibid., p.19.

4 C.P.R., 1307-13, p.45.

5 Ibid., p.45.

6 On 26 January.

Queen Margaret, by the king's licence.[1] The two letters of attorney sealed by Gavaston were granted to the abbot of Tewkesbury[2] and the abbot of Bec.[3]

Gavaston seems to have been kept busy dealing with escheats and wardships during his Regency. Immediately on Edward's departure, he sealed a writ ordering an inquisition into the lands held by the late Sabina Pecche:[4] this was followed, on 26 January, by an order to Walter of Gloucester, escheator south of Trent, to take into the king's hand without delay, all the lands which she held of the king in chief on the day of her death.[5] Similar writs were made out on 25 and 26 January in respect of Margaret, widow of John FitzBernard.[6] Then, on 27 January, Alexander Cheverel was appointed to the custody of John Walraund, an idiot, and of his lands.[7] Three days later, an order was made out to Walter of Gloucester, to deliver to Valen-

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1 C.P.R., 1307-13, p.44; Fœdera, II, i, 30. Apparently the king had some hand in the issue of these letters, for they were granted by warrant of privy seal. Probably Edward left instructions regarding them before leaving for France.

2 C.P.R., 1307-13, p.44.

3 Ibid., p.45. These letters were made out in pursuance to a warrant under the privy seal dated 30 January. (Ch.W. 58/96)

4 C. Inq. p.m., v, 6.

5 C.F.R., ii, 14. The inquisition was held on 5 February, 1308 (C. Inq. p.m., v, 6) and by letters dated 19 February, Walter of Gloucester was ordered to allow seisin of her lands to her heir, Nicholas of Pecche. (C.F.R., ii, 15)

6 Ibid., ii, 13; C. Inq. p.m., v, 24. The inquisition was held on 4 4 February, 1308.

7 C.P.R., 1307-13, p.45. Alexander Cheverel was one of the three knights who performed Gavaston's service of three knights' fees for the Scottish campaign of 1310-11. (v. infra, p.292)

tine Beck the lands which his deceased brother, Richard, had held as tenant in chief, for which lands he had sworn fealty, on condition that he did homage for them when the king returned to England.[1] On the same day, a mandate in similar terms was made out in favour of Richard, brother and heir of Gilbert of Clare, in respect of the lands which ~~Richard~~ Gilbert had held in England and Ireland.[2] Finally, a mandate dated 1 February, was sent to Walter of Gloucester with regard to the delivery to Richard, son and heir of Ralph of Sonford, tenant in chief, of the lands lately held by his father..[3]

Gavaston's only departure from routine matters during his Regency seems to have been his appointment of Richard of Monte Pessulano the younger and Stephen of Abingdon as purveyors for the Wardrobe.[4] It is interesting as showing that Edward apparently trusted to his friend's judgment to the extent of allowing him to appoint two household officials.

The last writ attested by Gavaston is dated from Ewell on 3 February.[5] Edward did not return to Dover until the ~~following day~~ 6th, and the Keeper of the Wardrobe with the Great Seal did not arrive until the 8th.[6] Hence no writs were sealed from 3 to 8 February. When the Great Seal arrived, Edward delivered it to the Chancellor in the presence of Gavaston and the earl of Lan-

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1 C.F.R., ii, 14.

2 Ibid., pp. 13, 14. The mandate was made out despite the fact that the inquisitions which the king had ordered to be made had not yet been returned.

3 Ibid., p. 14.

4 C.P.R., 1307-13, p. 45.

5 C.Cl.R., 1307-13, p. 19.

6 Fœdera, ll, i, 31; Parl. Writs, ll, ii, app., 9-10; C.F.R., ii, 14.

caster and of Hugh le Despenser, William Martyn, William Inge and Adam of Osgodby, receiving in exchange the seal which Gavaston had used in England, and which the king now delivered to William of Melton, Keeper of the Wardrobe.[1] Thus ended Gavaston's Regency and he once more became primus inter pares.

Before passing on to the coronation, it must be remarked that, although Edward took the Great Seal to France with him, he seems never to have used it. A number of warrants were issued under the Privy Seal, however. Of these, only two have a corresponding letter sealed with the Regency seal under Gavaston's teste.[2] The corresponding letters under the Great Seal for ~~seven~~ six of the others, bear dates ranging from 6 February to 2 May.[3] The remaining three were apparently not followed by the making of letters under the Great Seal.[4] Hence, except for the two letters which Gavaston issued in consequence of warrants under the royal Privy Seal,[5] the responsibility for every single

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1 Fœdera, II, i, 31; Parl. Writs, II, ii, app., 9-10; C.F.R., ii, 14. On 15 March, Melton surrendered this Regency seal to the Exchequer. (Parl. Writs, II, ii, app., 11; C.Cl.R., 1307-13, p.57; Register of John of Sandale, p.298; I.R. 142, m.1; L.T.R. Mem. Roll 78, m.40d.)

2 Both these warrants are concerned with the grant of letters of attorney for the abbot of Bec. The first warrant was made out on 27 January, but the names of the attornies were changed on 31 January and a fresh warrant made out. (Ch. W.58/96, 59/101) V. supra, p.192, note3.

3 Ch.W. 58/92B, ~~96~~, 97, 98, 100, 59/102, 103.

4 C.Ch.W., i, 269; Ch.W.58/95.

5 Fœdera, II, i, 30; C.P.R., 1307-13, p.44. This is including the letters of protection which were granted to Guillot le Sautreour. (v. supra, pp.191, 192 and note 1.) There are seemingly no warrants of Regency for this period. Nevertheless, Gavaston sometimes made use of his own privy seal, for the appointment of Alexander Cheverel to the custody of John Wal-

instrument sealed with the Regency Seal rested solely with Gavaston. The fact that Gavaston's behaviour as Regent was so unexceptional cannot therefore be attributed to the king's restraining influence. Hence, if the way in which Gavaston forbore from active participation in the administration during the period of his lieutenancy in England, can be taken as typical of his attitude towards public affairs, it seems that we have here certain proof that he had no great desire to become embroiled in governmental matters.

d) Gavaston and the coronation: his second exile (7 February - 25 June, 1308.)[1].

Edward sailed from Dover on 22 January. On the 25th he married Isabella at Boulogne, and the following day did homage to her father for Guienne and Ponthieu.[2] Edward's wedding was a very sumptuous affair. Four kings attended the ceremony, those of France, Navarre, Germany and Sicily, and thirty-two foreign dukes and counts, besides many English nobles who accompanied the king.[3] Philip gave his son-in-law many handsome presents, including a valuable ring, a bed of the most costly workmanship and several specially selected charges, all of which Edward, if we can believe the St Paul's chronicler, immediately sent home to Gavaston.[4]

On Edward's return from France, he was welcomed by all the

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5 (contd.) raund and his lands, and the issue of letters of attorney to the abbot of Tewkesbury, are both warranted "by letter of the earl of Cornwall." (C.P.R., 1307-13, pp.44,45.)

1 Cf. Dodge, pp.62-73; Dimitresco, pp.29-43. For much of this section, I am indebted to Dr Bertie Wilkinson's article on "The

magnates of England, but his favourite was again distinguished by unmistakable signs of the king's affection. Such a demonstration as that described by John of Trokelowe could not but have been galling to the assembled baronage.[1] Those who might have hoped that the king's ways would mend after his marriage were doomed to disappointment. Beautiful, Isabella may have been,[2] but she was but a child of twelve or so, hardly a fit companion as yet for a man of twenty-four, the more so since his main reason for marrying her was sub spe pacis, et recuperationis terrarum in partibus transmarinis, per praedictum regem Francorum occupatorum ..... sed, completo matrimonio, terras in Gasconia et alibi ..... injuste primitus occupatus, detinuit sicut prius.[3] Edward's fondness for his 'dear brother Peter' was accordingly remained undimished by his marriage.

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1 (contd.)
Coronation Oath of Edward II" in Historical Essays in Honour of James Tait, (1933), pp.405-16.

2 (contd.)
Ann.Lond., i, 152; Vita Edw., ii, 157; Trokelowe, p.65.

3 (contd.)
Cont. of Trivet, p.3; Ann.Paul., i, 258.

4 (contd.)
Ibid., loc.cit.

1 Op.cit., p.65: Nuptis igitur solemniter celebratis, ad regnum Angliae redeuntes, cum omni honoris et reverentiae studio ab omnibus proceribus admittuntur. Inter quos Petrum occurrentem, datis osculis et ingeminatis amplexibus, familiaritate venerabatur singulari. Quae familiaritatis specialis, a magnatibus praeconcepta, invidiae fomitem ministravit.

2 According to Ann.Paul., i, 262, she was elegantissima domina et pulcherrima mulier, whilst the writer of the life of Clement V (i, 46) describes her as de pulcrioribus mulieribus mundi.

3 Gesta Edw., ii, 32.

After his marriage, it remained for Edward to be crowned. Preparations for the coronation had been in hand as early as 26 October, 1307, when Ralph of Stokes had received a prest of 100s. towards the making of tapestries embroidered with the arms of England and of the earl of Cornwall,[1] and before Edward's embarkation for France, invitations to the coronation had been issued from Dover on 18 January.[2] Originally the ceremony was planned for the Sunday after the feast of St Valentine, 18 February, but it actually took place on the 25th. No reason for the postponement is to be found in the records. Recourse must therefore be had to the chronicles. The fullest account of the actual ceremony is given by Robert of Reading, but it is in the Annales Paulini[3] that we find the preceding events recorded in the full-

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1 Exch. K.R. Accts 373/15, f.51. A similar entry ~~prest~~, undated except for the year, appears in ibid., 325/4, m.2. Gavaston's arms were vert, six eagles displayed, or, membered and beaked gu, three, two and one. (W.Berry, Encyclopœdia Heraldica, ii; Burke's General Armory (1883), p.391; N.Upton, De Studio Militari (1654), pp.44-5; H.Nicholas, The Roll of Carlaverock, p.1) Gavaston was fond of eagles. His seal showed a mounted knight with a drawn sword, carrying a shield bearing the device of three displayed eagles, the horse's trappings being similarly ornamented. (N.Upton, op.cit., p.45.) His reliquary was in the form of a golden eagle, ornamented with rubies, emeralds, sapphires and pearls (Fœdera, II, i, 204), and the quit-claims which he handed over to the Exchequer were housed in a leather case embossed with a displayed eagle. (F.T.Palgrave, Antient Kalendars and Inventories, i, 51.)

2 Fœdera, II, i, 27; Parl. Writs, II, ii, 17. 108 invitations were issued, Gavaston's name being third on the list. Writs of purveyance addressed to the sheriffs of Kent, Essex, etc., had been made out on 10 January. In all these writs and invitations, the date of the coronation was given as the Sunday after St Valentine's day. As late as 9 February, too, the king was forbidding tournaments in Surrey before 18 February, because of the coronation. (Fœdera, II, i, 31)

3 i, 259-60.

est detail. According to this account, preparations for the coronation were held up by a dispute over the question of who was to do the crowning, for Archbishop Winchelsea was still an exile in Rome. Originally, according to the same authority, the Pope wished to send a cardinal to crown Edward, who, however, requested that he might be crowned instead by the Bishops of York, Durham and London. The Pope accordingly granted the required commission to the aforesaid Bishops, but revoked it when Winchelsea represented that the power of crowning the king of England and of delegating that power belonged to the Primate alone, and the Archbishop conferred it instead on the Bishops of Winchester, Salisbury and Chester. Then on the actual day fixed for the coronation, the English magnates associated themselves with the Queen's French relatives who were in England for the occasion, and threatened to delay the coronation indefinitely unless Gavaston were banished from the realm. Faced by such a contingency, Edward promised to do whatever the magnates should ask of him in the next Parliament.

Since we know that Gavaston was very unpopular with the barons, it seems not unlikely that they should have sought to procure his exile by the threat of delaying the coronation. This view is on the whole more probable than that held by Stubbs, who thought the postponement was the result of a difficulty as to who should crown the king.[1] Certainly Edward was writing to Winchelsea on 9 February, commanding him to perform the crowning

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[1] Const. Hist., ii, 343, note 2. Wilkinson (op.cit., p.408, note 3) points out that there is no real evidence to support Stubbs' belief.

or to nominate others for this purpose,[1] but, inasmuch as the prelates who actually did the crowning had already been summoned to attend along with the rest, it seems improbable that the last-minute delay was the result of the Archbishop's absence, especially as his absence, as appears from the king's letter, had already been foreseen.

There is no evidence of when the coronation was actually postponed,[2] but it may have been on the very day. The first indication we have of the postponement is a mandate, dated 19 February, in which the king ordered the postponement of a case which was to have begun before the justices on 23 February, on the grounds that it would hinder the justices from attending the coronation on the 25th.[3] There is therefore nothing improbable in Wilkinson's opinion that "Edward 11 only achieved his coronation at the price of a solemn promise to accept the baronial reforms," and "that these reforms were clearly to begin with the removal of Gaveston."[4]

But if Edward was obliged to agree to the exile of his favourite as the price of his coronation, he was determined that Gavaston should continue to take precedence of the other magnates while he yet remained in England. The chroniclers agree that at the coronation Gavaston was unsurpassed in sumptuousness of apparel and pride of bearing. Many foreign notab-

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1 Fœdera, 11, i, 32.

2 On 18 February, a proclamation was ordered by the civic authorities of London, enjoining the keeping of the peace and forbidding the bearing of arms or the molesting of foreign visitors. (Riley, Memorials, p.64; Parl. Writs, 11, ii, app., 10.) In this proclamation the date of the coronation is not mentioned, but its issue is not inconsistent with the ceremony's being held on that very day.

ilities were present to grace the ceremony, Charles of Valois and Louis of Evreux, the Queen's uncles and brothers of the king of France, Charles, the Queen's brother, John, duke of Brabant, Guy lV of Saint Pol, Gaston l of Foix, Henry of Luxemburg, afterwards Emperor, the count of Savoy and the duke of Brittany, but Gavaston outdid them all.[1] Certain of the nobility claimed by ancient service to support the king in various capacities at the coronation. Various parts of the regalia of St Edward were accordingly given to them,[2] but the crown of St Edward was given into Gavaston's'iniquitous hands,' ex quo non immerito indignati sunt populus atque clerus.[3] The ceremony was further marred by the enormous crowd which had gathered, and to avoid which the king had to leave the palace by the back-door. In the church itself, too, the crush was so great that part of the wall collapsed near the high altar and the king's throne, and a certain

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3 (contd.)
Parl. Writs, ll, ii, app., 10; cf. Wilkinson, op.cit., p.408. V. also Fœdera, ll, i, 36 for a prohibition of a tournament at Stepney, which had been planned for 25 February.

4 Op.cit., p.408.

1 Flores Hist., iii, 142; Flores Hist. (Tintern Ms.), iii, 331; Ann. Lond., i, 153; Ann.Paul., i, 261; Gesta Edw., ii, 32; Vita Edw., ii, 157; Murimuth, p.12; Baker, p.4; Trokelowe, p.65; Chron. Melsa, ii, 280. The St Paul's annalist was an eye-witness: quia quod vidimus, hoc testamur. (i, 261)

2 Fœdera, ll, i, 36; Parl Writs, ll, ii, app., 10-11; C.Cl.R., 1307-13, p.53. William Marshal carried the great gilt spurs: then came the earl of Hereford with the royal sceptre and Henry of Lancaster with the royal yard (virga), followed by the earls of Lancaster, Lincoln and Warwick, carrying three swords, Lancaster bearing Curtana. They were followed by the earl of Arundel, Thomas de Vere, the son and heir of the earl of Oxford, Hugh le Despenser and Roger Mortimer of Wigmore, who bore a great checker with the royal vestments on it. The Treasurer followed, carrying the paten of the chalice of St Edward and then the Chancellor with the chalice itself. Finally came Gavaston with

knight, John of Bakewell, was killed.[1] After this accident, the crowd got completely out of hand, and in its violence spared neither the king nor the bishops who were to crown him.[2] The ceremony had therefore to be hurried through almost irreverently. The banquet was also mismanaged, everything being delayed.[3] Most of the chroniclers comment adversely on Gavaston's ostentation on this occasion.[4] Whilst the other magnates were content with cloth of gold, Gavaston was dressed in purple overlaid with pearls. One earl, indeed, was so enraged by Gavaston's arrogance, that, according to the St Paul's annalist, he wished to kill him openly, but was deterred by wiser counsel.[5] The Queen's

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2 (contd.) the royal crown. The king brought up the rear. V. A.Taylor, The Glory of Regality, (1820), pp.253-4, for an account of Edward II's coronation.

3 Ann. Paul., i, 261.

1 Ibid., i, 261. It is here noted that Bakewell was adversarius illius ecclesiae. G.J.Aungier, Croniques de London, (1844), p. 34, states that this fatal occurrence was interpreted by the monks of Westminster as a judgment in their favour, in consequence of Bakewell's having been a great enemy to the church through some law difference between him and the convent. Cf. Ann.Lond., i, 153.

2 Ann.Paul., i, 261. The actual crowning was performed by Henry Woodlock, Bishop of Winchester. V. Canon Goodman, Registrum Henrici Woodlock, i, 250, for Woodlock's declaration that in crowning the king he was not claiming any rights for the see of Winchester, but only acting in virtue of a commission from the Archbishop of Canterbury.

3 V. K.R. Mem. Roll 82, m.93 for the provisions bought for the coronation.

4 Flores Hist., iii, 142; Ann.Paul., i, 262; Baker, p.4; Murimuth, p.12.

5 This wiser counsel was that to kill Gavaston thus openly would very likely provoke a tumult, whereas expectare vincere nobis erit. (Ann. Paul., i, 262.) Cf. Flores Hist., Tintern Ms., iii, 331, for the discord at the coronation.

uncles, Charles and Louis, returned to France disgusted with the behaviour of the king and his favourite.[1]

So busy are the chroniclers with recording the hostility which Gavaston provoked by his lavish ostentation,[2] that not one of them mentions the significant feature of Edward II's coronation, as distinguished from those of the past, namely the fact that Edward took his coronation oath in French, in the form provided *si Rex non fuerit litteratus*, which differed considerably from the Latin version.[3] The significant clause was the fourth, by which the king bound himself to maintain the laws and rightful customs of the realm as the commonalty of the realm should ordain (*les quiels la communaute de votre royaume aura esleu*). Wilkinson thinks this oath was an innovation in 1308 and that the fourth clause, which is undeniably revolutionary in its implications, was the product "not of constitutional growth in the past, but of present discontent."[4] Miss Clarke, however, preferred to believe that the addition was in the main a recrudescence of the situation which had recently resulted in the

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1 According to *Ann. Paul.*, i, 262, they thought Edward *plus exerceret Petri triclinium quam reginae*.

2 Murimuth (p.12), Baker (p.4) and Robert of Reading (*Flores Hist.* iii, 142) agree in stating that the way in which Gavaston surpassed everybody else in magnificence made him envied and hated by all.

3 The Latin version is given in Coronation Roll 1, P.R.O., and the French one in a schedule attached to the Close Roll. (*Fœdera*, II, i, 33-6.) Both versions appear on the back of a roll in the Treasury of Canterbury Cathedral (v. *Statutes of the Realm*, i, 168) and in B.M. Burney Ms. 277, f.5v.

4 *Op.cit.*, pp.205-7. Taylor (*op.cit.*, pp.335-40) discussed the question fully. He points out that one of the articles of impeachment against Laud was that he changed the coronation oath and omitted the phrase, *quae populus elegerit*, though this

confirmatio cartarum. To her, "the interpolated clause was a declaration of war on the professional council, announcing a resolve on the part of the commonalty of the magnates to capture from it the agenda of 'Parliament.'"[1] Possibly it was from a mixed motive that the barons secured the addition to the oath: the memory of the recent constitutional struggle was accentuated by their dislike of Gavaston. Taken in this context, the purport of the additional clause seems to be that the king bound himself by it to acquiesce in whatever the barons should ordain, it being tacitly understood that their first assertion of this new power would be a request for Gavaston's removal.

Wilkinson considers that clause 4 was of a temporary nature, in so far as it was to a certain extent superseded by the declaration of the doctrine of capacities later in the reign.[2] It was in the nature of a charter, which enlarged upon the concessions of the oath. True, this concession was ~~KAK~~ more far-reaching in its implications than any made by Edward's predecessors, but it was hardly of general interest, being a pact between monarch and barons alone. This probably explains in part why it was passed over with so little comment at the time[3] and so seldom referred to in explicit terms later in the reign.[4]

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4 (contd.) alteration had not been made by him; the same omission had occurred in James 1's oath.

1 Medieval Representation and Consent, p.208.

2 Op.cit., p.412.

3 According to Wilkinson, (ibid., p.412), the absence of comment on ~~comment on~~ clause 4 in the chronicles seems also to be partly the result of its having formed part of the coronation oath: had it been separate, it is hard to believe that it could have

According to Wilkinson, this changed coronation oath was "of no great constitutional value to the barons of Edward ll, though it represented a concession which they had rated very highly during the early years of the reign."[1] Nevertheless, since it was a prelude to the enunciation of the doctrine of capacities, and later provided the original justification for the Ordinances,[2] its constitutional importance seems to lie in the fact that it was used by the barons as a peg on which to hang their demands for reform, and as such is of no mean order. Wilkinson also notes that the changed form of oath survived for the remainder of the medieval period, continuing to be taken by succeeding monarchs "when the reasons for its existence were probably forgotten, and its very meaning was becoming a matter of doubt."[3] This surely shows that it was prized as a concession wrung from the king: had it been merely a temporary bargain arranged between monarch and magnates, it would surely not have assumed the rôle of precedent.

The part which Gavaston played in all this, seems to have been considerable. Granting that the coronation was postponed at the last minute until the king would agree to his exile, it is tempting to assume that clause 4 was added to the coron-

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3 (contd.)
escaped their notice.

4 Wilkinson nevertheless mentions four instances when it was cited in favour of the baronial cause later in the reign. (op.cit., pp.413-4)

1 Ibid., p.414.

2 According to Wilkinson, the Ordinances "ultimately had their original justification in the fourth clause of the coronation oath." (ibid., p.413)

3 Ibid., pp.414,416.

ation oath with the express intention of interpreting it primarily in respect of Gavaston's removal from the king's society. The use of the phrase, aura esleu, shows that the barons had something in mind: it was probably by this means that they hoped to make doubly sure that Edward would not break the promise he made to them to send his favourite into exile, in return for their undertaking not to hinder his coronation. Thus, at the very beginning of the reign, Gavaston's constitutional significance, though indirect, is not to be ignored.

Having gained the king's promise to agree to whatever they should ordain, the next step was for the magnates to translate this general concession into terms of the particular. Hemingburgh relates that after the coronation, the king sent for the magnates to meet at Westminster to deliberate on the state of the Church and of the realm.[1] When the assembled barons were informed of this, the earl of Lincoln, after thanking God for the auspicious commencement of the new reign, suggested that the king should signify his willingness to ratify whatever they should decide by giving them a written commission. All present voted in favour of this suggestion, except the king's envoys, the earl of Lancaster and Hugh le Despenser, who had been sent by Edward to convey his pleasure to the gathering. Lincoln threatened these two that unless they agreed to the proposal, they would be reckoned as enemies to the baronial cause, but Lancaster and Despenser, whilst protesting their loyalty to Lincoln and his associates, objected that, as the king's will

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[1] Chronicon, ii, 270.

was not yet known, the best course was to find out without delay. They accordingly left the assembly, only to return with the evasive reply from the king that he did not wish to be bothered then, and the request that they should accordingly adjourn until the quinzaine of Easter, i.e. 28 April, when they should continue their deliberations at London. This account of the episode is taken entirely from Walter of Hemingburgh, but the St Paul's annalist, though less detailed, differs from him in no material particular.[1] It is thus evident that it was Lincoln who inspired the baronial opposition at first.. According to Wilkinson, however, this opposition was originally conservative, and in 1308 there was seemingly no intention of imposing permanent control over the king.[2]

Apparently the magnates did not acquiesce meekly in their abrupt dismissal by the king. According to the writer of the Vita Edwardi,[3] they formed a confederacy under Lincoln[4] to procure the exile of Gavaston and his forfeiture of Cornwall, with the result that there was alarm everywhere and even fears of civil war. Throughout the country preparations were made for war: the king fortified and repaired his castles, and the earls did likewise. The Great Council had been summoned to meet on 3

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1 Ann.Paul., i, 262. According to this account the magnates had been assembled in the refectory at Westminster since 27 February.

2 Op.cit., pp.409-11.

3 ii, 158-9.

4 According to Robert of Reading, the leader was Lancaster. (Flores Hist., iii, 142) In the Vita Edwardi, it is stated that Lincoln, from being a friend and supporter of Gavaston, now became his greatest enemy, not because of the favourite's vices, but because of his ingratitude.

March,[1] but it seems to have done little to relieve the tension. It was in such unfavourable circumstances that Parliament met on 28 April.[2] If we can believe the account given in the Vita Edwardi, the magnates came to this Parliament bringing with them a large army.[3] No other chronicle gives the setting of this Parliament in such detail, but all agree that Edward was forced to consent to the exile of his favourite after a violent quarrel with the barons.[4] Apparently the king refused to cede to the baronial demands until after a protracted struggle, but, with all the magnates ranged against him,[5] he was probably browbeaten into acquiescence by their display of force.[6] There seems to have been no mutual agreement between Edward and his barons: whilst they deliberated in the monastery at Westminster, he took counsel in the palace there,[7] this division ~~XXXXXXXXX~~ aggravating the crisis and precluding any settlement acceptable to both sides. Hence the deadlock could only result in the king's giving way. The baronial programme at this time is epitomised by the proposition they put to the king, namely that

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1 The writs of summons are dated 19 January. Gavaston was among those summoned to attend. (Parl. Writs, II, ii, 18)

2 Gavaston received a writ of summons to this Parliament, dated 10 March. (ibid., p.20) The Annales Londonienses (i, 153) give the date of its assembly as 30 April.

3 ii, 159. The Annales Paulinæ (i, 263) also state that the barons attended Parliament in manu armata, but add that it was for defence rather than attack.

4 Ann. Lond., i, 153; Ann. Paul., i, 263; Gesta Edw., ii, 33; Hemingburgh, ii, 274.

5 Apparently none of the earls sided with the king at this juncture. The continuator of Trivet relates that the earls of Lincoln, Gloucester, Hereford, Warwick, Arundel, Pembroke and Warenne, with many others, met at the New Temple on 12 May and

homage and fealty were due rather by reason of the crown than by reason of the king's person, and that, if the king should happen to be not guided by reason, his lieges were bound by their oath to the crown to guide the king and the estate of the crown back again by reason, even to the extent of using force if necessary, since the judges, who enforced the law, owed their position to the king and would only confirm his errors.[1] Conway Davies represents this application of the by no means new doctrine of capacities, to the difference between king and crown, as "a complete assault upon the king's position,"[2] but Wilkinson is inclined to minimise its significance.[3] In any case, it was drawn up to apply particularly to Gavaston and as such was interpreted by contemporaries. The barons took the view that, as Gavaston could not be indicted by common law, they should themselves pronounce him guilty.[4] Wilkinson thinks this declar-

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5 (contd.)
agreed on Gavaston's exile. (p.5)

6 There is no documentary evidence to support the Vita Edwardi's story of imminent civil war, except a prohibition of a tournament at Stepney, dated 14 April, 1308. (Fœdera, II, i, 43)

7 Ann. Paul., i, 263. Murimuth (p.13) agrees in stating that hatred of Gavaston caused a deadlock.

1 Statutes of the Realm, I, 182; Ann. Lond., i, 153; Gesta Edw., ii, 3.

2 Op.cit., p.25.

3 Op.cit., pp.409-11. He points out that in the Gesta Edwardi, the declaration does not occur among the baronial indictments, but in a justificatory preamble, and argues that it was not the prelude to a quarrel between king and barons, but part of a temporary settlement, the more so since it was not entirely produced by the barons, but was the result of deliberations between them and the king. This view, however, rather flatters Edward's position with regard to the barons.

4 Gesta Edw., ii, 34.

ation of the barons's position in regard to the crown was a compromise by which the king agreed to give up Gavaston and to recognise the barons' right to take measures against him if he should return, in return for the temporary renunciation by the barons of Lincoln's demands and the shelving of their insistence on his complete fulfillment of the coronation oath: in brief, the declaration of 1308 was intended to supersede the coronation promise by mutual consent.[1] This view, however, premises that Edward was in a position to negotiate with the magnates, which he never seems to have been. In any case, Edward was probably well aware that the barons' anxiety to bind him by oaths to do their will was caused by their desire to banish Gavaston from the realm, and it would have mattered little to him whether his favourite's banishment was justified by clause 4 of the coronation oath or by this new declaration of the difference between king and crown. If the king had been reluctant to accept the innovation in his coronation oath, we can imagine that he would have been equally reluctant to agree to the baronial proposition that it was the duty of the magnates to force their will upon him.

The first application of this new doctrine was, as Edward must have foreseen, the barons' resolution that Gavaston had disinherited the crown, turned the king from the counsel of the magnates, drawn certain persons into his allegiance instead of the king's and committed many other outrages to the detriment

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1 Op.cit., pp.410-11.

of the crown, the king and the kingdom,[1] on which account the barons proposed per commune consilium, that, as Edward wished to retain Gavaston and he could not be indicted or convicted by principle of law, the king should deign to comply with their judgment in the matter.[2] This judgment, of course, was that Gavaston should be sent into exile. In the circumstances, Edward had no option but to agree, on 18 May, not to hinder or seek to prevent Gavaston's banishment on 25 June.[3] To make doubly sure that the sentence would be carried out, the magnates got Winchelsea, who had returned to England on 24 March, to promulgate a sentence of greater excommunication against the favourite, if he delayed in England beyond the appointed time or returned without permission.[4]

In connection with Gavaston's exile, there are two questions to be answered: how far was the baronage united in its demand for his exile and what had he done to deserve it? The Annales Paulini[5] imply that Gavaston stood entirely alone, but the barons' charge against him of drawing certain persons into his allegiance,[6] proves that he must have had some supporters.

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1 Gesta Edw., ii, 33-4.

2 Ibid., p.34. The canon of Bridlington states that the sentence on Gavaston was mitigated, out of consideration for the king and the earl of Gloucester, from one of death to one of exile, but this story can have no foundation, for Gavaston was never arraigned on a capital charge. Incidentally, in this account, the barons are made to appeal to the coronation oath in justification of their insistence that the king comply with their verdict against Gavaston.

3 Foedera, II, i, 44; C.P.R., 1307-13, p.71; Ann. Lond., i, 153.

4 Ibid., pp.154-5, where the sentence of excommunication is given in full. According to the Lanercost Chronicle (p.211), the king originally gave verbal consent to Gavaston's exile about

Without going into the question of whether Gavaston attempted to form a party, which will be dealt with later,[1] it may be mentioned here that in the Vita Edwardi, Hugh le Despenser is mentioned as siding with Gavaston and Gloucester as being neutral,[2] whilst later in the reign the annalist of St Paul's classes Nicholas of Segrave, William of Bereford and William Inge as regis deceptores et regni proditores.[3] The weight of opinion, however, was undoubtedly against Gavaston. Earlier in the year, the baronage had not been wholly united in the policy advocated by the earl of Lincoln, of forcing the king to endorse their judgments, the earl of Lancaster in particular evading an alliance with them and siding with Despenser,[4] but by this time, Gavaston's conduct had probably so alienated the other earls that there would have been few voices raised in his favour.

It is not so easy to decide what united the baronage in whole-hearted opposition to Gavaston. Only one thing seems more or less certain, that it was not fear that he was corrupting the king's morals. It has already been shown that later ages tended to put the worst construction on the relationship between monarch and favourite, but though such stories were

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4 (contd.) Easter, but broke faith, so at Whitsun the barons compelled him vi et metu to banish the favourite. It is here stated that Gavaston should have gone into exile by the end of April, but as the Parliament of London is here confused with that of Northampton, it is not a reliable source.

5 i,263: incumbente timore totius populi ..... eo quod a cunctis habebatur exosus.

6 V. supra, p.209.

1 V. infra, p.309.

2 ii,158. This account alleges that Des-

certainly current among his contemporaries,[1] and found their way into a few chronicles,[2] how can they be believed when, as Professor Tout has pointed out, they were circulated by men who a few years previously "had thought it good policy to strengthen their sound constitutional reasons for driving Walter Langton from the foremost place in Edward 1's counsels by accusing him of murder, adultery, simony, pluralism, and intercourse with the devil"?[3]

The root-cause of much of the baronial opposition to Gavaston seems to have been pure jealousy. Gavaston's position as royal favourite would have been difficult enough in any case, for he would always have been regarded as a foreign interloper by the English baronage, who begrudged such close proximity to

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2 (contd.) penser joined Gavaston rather from zeal to please and desire of gain than from any just motive, and states that he incurred the hatred of barons because of it. Later, the same chronicler relates that the deliberations between Edward and his barons were protracted because many wished to please both sides and accordingly vacillated. (ibid., p.159) The Lanercost Chronicle gives Gloucester as one of the leaders of the baronial opposition. (p.211)

3 i,264; cf. Lanercost, p.212.

4 V. supra, pp.205-6.

1 Gavaston himself apparently knew of them and resented their imputation. (v. infra, p. 340, note 1.)

2 The writer of the Polistorie alleges that it was on account of the undue familiarity between the young Edward and Peter that Edward 1 banished Gavaston. (Harl. Ms. 636, f.232.) The charge is also mentioned in the Annales Paulini (i,262) and the Vita Edwardi (ii,168). None of these contemporary chroniclers, however, expresses any opinion on the truth of the allegation. The use of the word amasius, which is translated as 'love' both by Trevisa and by the unknown fifteenth century translator of Ranulph Higden, might mean anything, and in any case, those who made use of it, Higden (vii,296-7), Henry of Knighton (i, 405) and the Oseney annalist (p.342), were not contemporary. The definite allegation in Chron. Melsa (ii,355) that ipse

the throne to any but members of their own order. It was made still more difficult by the way in which the king seemed to invite comment on it by treating Gavaston as his brother and insisting that he should be treated with the deference customarily due to one in that position by birth. Edward, indeed, seems to have made himself ridiculous by his infatuation for his favourite,[1] and it was not long before the hatred felt for Gavaston began[2] to reflect on him. The best discussion of Gavaston's strained relations with the barons occurs in the Vita Edwardi, the writer of which attempts an impartial investigation into the causes of his unpopularity. The barons' jealousy of Gavaston is here stressed,[3] but at the same time it is admitted that they had good cause for it.[4] Two chief causes are given for Gavaston's unpopularity, one, the fact that, when created earl of Cornwall, he completely forgot that he was once a humble squire and demanded more deference than the king himself,[5] the other, that he alone enjoyed the king's grace and favour, and

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2 (contd.)
quidem Edwardus in vitio Sodomico nimium delectabat
was written more than fifty years after Edward's death and is entirely unsubstantiated.

3
Place of Edward II, p.13.

1
The contemporary attitude towards Edward's friendship for Gavaston is succintly expressed by the biographer of Clement V, who states that the king bestowed many grants on Gavaston sicut fascinatus ab ipso, in depressionem regie dignitatis. (Vitae Paparum, i, 29)

2
According to the Lanercost Chronicle, nobody had a good word to say for either king or favourite. (p.211)

3
The chronicler states that the barons envied Gavaston because the earldom of Cornwall was conferred on him, because he alone found favour in the king's eyes and because he was given the

that whenever any other earl or baron wished to speak privately with the king, Edward would look favourably on no one except Gavaston.[1] After much sententious moralising on Gavaston's intolerable pride, the writer comes to the conclusion that he was mainly to blame for his unpopularity, for he thinks that if Gavaston had behaved himself humbly and prudently towards the magnates from the very first, he would never have encountered opposition from any of them.[2]

It was Gavaston's pride and ostentation that were his undoing.[3] It has already been shown that he occupied no position in the administration and that he was not guilty of dissipating the royal revenue.[4] Nevertheless, as long as he

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3 (contd.)
earl of Gloucester's sister in marriage. (Vita Edw., ii, 155) Cf. Vitae Paparum, i, 29.

4 Vita Edw., ii, 155.

5 Ibid., loc.cit. Elsewhere, (ii, 157), it is stated that Gavaston regarded his equals as humble and worthy of contempt, whilst for their part the barons despised him as a humble squire who had forgotten his lowly origin. Many of the chroniclers comment adversely on Gavaston's humble origin. (v. supra, p.30, note 2)

1 Vita Edw., ii, 168.

2 Ibid.

3 Referring to Gavaston's proud bearing, the writer of the Vita Edwardi (ii, 168) comments: certe in filio regis satis esset intollerabile supercilium quod praetendit. Elsewhere (ii, 155), he states that Gavaston behaved as though he were a second king, to whom all were subject and none equal.

4 V. supra, pp. 141-86, passim.

made no attempt to camouflage the fact that the king regarded him as his most intimate friend, it was inevitable that he should be considered the power behind the throne[1] and that all the government's acts should be attributed to his influence.[2] In these circumstances, a wiser man would have endeavoured to conciliate the baronage. Gavaston, however, seems to have gone out of his way to alienate them. Not content with such ostentatious displays as that which gave such offence at the coronation,[3] he must needs flaunt his privileged position as king's favourite in the face of the other magnates at every possible opportunity. Doubtless well aware of their dislike of him, he seems to have delighted in gloating over their public discomfiture. In two ways in particular, Gavaston proved a constant source of irritation to the baronage, whose power to injure him he seems consistently to have underrated.[4] The first was his irritating habit of affixing nicknames to the magnates. Thus Warwick was dubbed 'the black dog of Arden,'[5] Lancaster, 'churl'[6] and 'fiddler,'[7] Lincoln, 'burst belly,'[8] and Pembroke, 'Joseph the Jew.'[9]

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1 Ann. Paul., i, 259; Chron. Melsa, ii, 326; Murimuth, p.11.

2 V. supra, pp.152 and note 6, 153 and note 1.

3 V. supra, pp.201-2.

4 The Lanercost Chronicler thinks his conduct due to the fact that he believed himself confirmed for life as earl of Cornwall. (p.216)

5 Flores Hist., iii, 152; Lanercost, p.216.

6 Brut, p.207.

7 This was porceo quil est grels et de bel entaile, i.e. slim and tall. (ibid., p.207) Walsingham (Hist. Angl., i, 115) says he

8 was called 'the player.'

Brut; p.207.

9 Hist. Angl., i, 115. The reason given is

The caustic quality of Gavaston's tongue can be gauged from the fact that these unpleasant witticisms were not only used at the expense of his opponents. His references to his brother-in-law, Gloucester, as 'cuckold's bird' and 'whoreson,' which Professor Tout thought were undoubtedly malicious allusions to his mother's mésalliance with Ralph of Monthermer,[1] shows that he could have felt no scruple in making even those who were most loyal to him, the butt of his ill-judged humour.[2]

The other direction in which Gavaston made himself obnoxious to his fellow earls, was the way in which he impressed on them his superiority in feats of arms. On two occasions, at Wallingford and Faversham, he publicly humiliated the native nobility, who naturally became still further incensed against him on this account.[3] The reception which his victories received can be gathered from the adverse accounts of them given by the chroniclers. The annalist of St Paul's is most scathing on the subject of Gavaston's warlike achievements: according to his account, Gavaston won the day at both tournaments by cheating, and when the earls hoped to get their revenge at another tournament at Stepney, instigated Edward to prohibit it.[4] Trokelowe also implies that Gavaston's victory at Wallingford

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9 (contd.)
eo quod pallidus esset et longus.

1 Brut, p.207; Pakington's chronicle, apud Leland, Collectanea, ii, 461; Place of Edw. II, p.12, note 2.

2 Those mentioned in the text seemingly do not exhaust Gavaston's nicknames for the magnates, for, in the words of the English Brut, "meny othere shames and scorn ham saide," which made the baronage "full angri and sore annoiede." (ibid.) For many of the references to Gavaston's nicknames, I am indebted to Tout, Place of Edw. II, p.12, note 2: he recommends reference to Sir

was due to his having outnumbered his opponents, though he makes no adverse comment on it.[1] The most impartial account of the tournament at Wallingford appears in the Vita Edwardi, where it is stated that Gavaston with a host of young and brave though nameless knights,[2] won the day against the earls, although the field remained to the other side, because the law of the game was that he should be judged the strongest and most valiant who most frequently returned to the fray after being vanquished and thrown from his horse.[3] Although we have no means of checking this favourable account of Gavaston's prowess in arms, it seems more in keeping with what we know of his character that he should owe his triumph to the peculiarity of the ruling governing the contest rather than to deliberate cheating. But in any case, no matter what the reason for it, it is not likely that the earls of Hereford, Lancaster, Pembroke, Arundel and Warenne[4] and their peers would feel inclined to take their defeat philos-

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2 (contd.)
E.M.Thompson's note to Baker's chronicle, pp.183-4.

3 The Wallingford tournament, which was held on 2 December, 1307 (Vita Edw., ii, 156), was proclaimed in honour of Gavaston's marriage, that at Faversham in honour of the king's. (ibid.; Ann. Paul., i, 259)

4 According to this account, the contest at Wallingford was to have been fifty knights against fifty, but Gavaston cunningly sallied forth with two hundred and easily vanquished his opponents, whilst of Gavaston's tactics at Faversham, the chronicler remarks that quo quidem die subdole se finxit congredi cum illis manifeste subsannans iter et moram comitum sumptuosam. It is here alleged that Gavaston feared to go to Stepney, and accordingly hinted to the king that the earls were seeking his death there. (Ann. Paul., i, 259) The real reason for the prohibition of the Stepney tournament was that it was fixed for 25 February, the day of the coronation. (Fœdera, II, i, 36)

1 Trokelowe states that Gavaston was victorious because he had gathered so great a force cum tota Regis potentia. The tourna-

ophically, especially when it was inflicted publicly by one whom they chose to regard as a foreign upstart.[1] Moreover, if we can believe the chroniclers, the country as a whole sided with the earls in their humiliation.[2]

Gavaston's conduct towards the barons ever since the beginning of the reign seems therefore to have been that of a self-made man, who delighted to snub those who were his superiors by birth but his inferiors in talent. Hence, though zeal for the welfare of the crown may have had some part in the barons' anxiety that Gavaston should be exiled, it seems to have been

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1 (contd.)
ment is incorrectly given as in honour of the coronation.

2 (contd.)
qui prece vel pretio poterant conduci. (Vita Edw., ii, 156)

3 Ibid., pp.156-7. The tournament is stated to have been proclaimed nomine domini Petri but auxiliante et consulente domino rege. (ibid., p.156)

4 Trokelowe (p.65) gives the names of Lancaster, Hereford, Pembroke and Warenne, the Vita Edwardi, those of Warenne, Hereford and Arundel. (p.156)

1 The chroniclers agree in stating that the magnates' hatred of Gavaston was increased by these defeats. (Ann. Paul, i, 259; Vita Edw., ii157; Trokelowe, p.65)

2 The St Paul's annalist states that the indignation of the English was aroused by the defeat of the barons at Wallingford, and that the prohibition of the tournament at Stepney was the occasion of much hatred and murmuring against Gavaston among the populace. (Ann. Paul., i, 259) Gavaston seems never to have been very popular with the people. Henry of Knighton (i, 406) gives a popular rhyme against him which was current throughout the country:

Que altre tient en despite
Bien sauyz de ceo quil dit,
Car fortune fait abesser,
Que ja ne quide a ceo venir.

the favourite's pride and want of tact that made them determined to make him suffer for the slights to which he subjected them, and at length goaded them into imposing their will on a reluctant king by force.[1]

Throughout this crisis, Edward stood faithfully by his friend[2] and doubtless employed his time after the publication of Gavaston's exile, in casting about how to circumvent or, at any rate, alleviate it. Only in one respect do the king and Gavaston seem to have acted with more caution during this period. This was in the matter of Gavaston's influence with the king. From 17 March to 18 June, only three writs are stated to have been issued at his request or instance, and in one of these his name is associated with that of Roger Mortimer of Wigmore.[3] After his departure into exile, however, Gavaston appears in the rôle of advocate no less than five times in just over two months.[4] It is quite possible that, in the case of the first three of these acts, Gavaston petitioned Edward before he left England.

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1 There was probably no deeper reason for the barons' hostility to Gavaston. Hemingburgh is certainly wrong when he states that the favourite was excommunicated and perjured. (ii,274) The continuator of Trivet relates that, before recalling Gavaston, Edward obtained Papal absolution from the oath which he had taken to his dying father (p.2), and, granting that Hemingburgh is right in his story that Gavaston also took an oath to the dying king, it seems only natural that Edward should have obtained similar absolution for his friend.

2 The Tintern version of the Flores Historiarum (iii,331) states that Edward, loving Gavaston beyond the bounds of reason, gave him his full support and strove manfully to defend him against the consequences of his rashness.

3 C.P.R., 1307-13, p.56. This was a grant to John of Messenden of certain lands in Northampton and Warwickshire, and was made out on 17 March. Three days later a grant in fee was made to Edmund of Mauley at Gavaston's instance. (ibid., p.60) The third act is a grant for life to Roger of Clotherum of the custody of the smaller seal for recognisances of debts for the city of

If this is so, it tends to confirm the belief that it was only whilst Gavaston still remained in England that Edward considered there was any need for caution. It is important not to stress this point, for Gavaston's influence with the king was probably just as paramount as ever,[1] but it is possible that the notable diminution in the number of Gavaston's appearances as intermediary at a time when the magnates would have been only too eager to misconstrue any advice which he gave the king, sprang from a conscious attempt on the part of both monarch and favourite to induce the barons to countermand their decree of banishment against the latter, by reducing his part in affairs to the barest minimum.[2]

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3 (contd.)
York. (ibid., p.79) From Edward's accession to 17 March, 1308, eleven writs had been issued at Gavaston's request. (v. supra, p.180, note 3)

4 There is a mandate dated 26 June, 1308, addressed to the barons of the Exchequer, ordering them to make letters under the Exchequer seal according to the tenor of the enclosed petition from John of Wyke, which had been granted at Gavaston's request. (L.T.R. Mem. Roll 78, m.68; K.R. Mem. Roll 81, m.35) The following day, William of Skelton was appointed king's bailiff errant of Holland, at Gavaston's request. (C.P.R., 1307-13, p.80) Then on 29 June, Ivo of Sulton was granted the marriage of Joan, daughter and heiress of Hugh of Tiderington after a similar request. (ibid., p.83; C.Ch.W., i, 275: incidentally, the patent roll calendar incorrectly gives the name as 'John,' but it is 'Joan' in the enrolment.) Later, on 5 July, a chancery warrant was made out on Gavaston's representations, ordering payment of arrears of maintenance to Elias Scarlet and Amanieu Paou (C.Ch.W.i, 276), and finally, on 1 September, he secured a general pardon for John Lenfant. (C.P.R., 1307-13, p.137)

1 He could always petition or advise the king by word of mouth. (v. supra, p.182 and note 2)

2 It is noteworthy that only the [illegible], canon of Bridlington (Gesta Edw., ii, 33-4) and Adam Murimuth (p.12) emphasise the charge of 'evil counsel' against Gavaston as the reason for his second exile.

Chapter IV.

Gavaston in Ireland.

a) Terms of Gavaston's appointment.

It was by making Gavaston his lieutenant in Ireland, that Edward sought to mitigate the hardship of his exile.[1] Possibly some of the barons may have regarded the appointment with no kindly eye,[2] but they had no means of redress. By the terms of his exile, Gavaston was excluded only from England, not from the English dominions. Edward was therefore within his rights in appointing him his lieutenant in Ireland. It is very probable, however, that his use of what the earls had intended as a punishment, as a pretext for conferring further honours on his favourite, led to the insertion in the decree ordaining Gavaston's third exile, of the clause banning him from all territories subject to the king of England.[3]

By the terms of his appointment, Gavaston was granted regal powers in Ireland. Though appointed during royal pleasure, he had full power of removing, as seemed fitting to him and consistent with the royal honour and utility, justices, sheriffs, bailiffs and other royal ministers, without regard to their station, and appointing others, and further of ordaining and doing everything which the king would do if present, includ-

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1 Letters patent making the appointment were issued from Reading on 16 June, 1308. (Fœdera, II, i, 51)

2 Dodge (p.71) probably exaggerates, however, in stating that the appointment "came like a thunder-clap upon the astonished barons:" all that they wanted was Gavaston's separation from the king.

3 V. infra, pp. 308-9.

ing presenting to churches and conferring benefices in the royal presentation and collation. At the same time a mandate exhorting him to aid and counsel Gavaston, was addressed to Richard de Burgh, who the previous day had himself been appointed the king's lieutenant in Ireland.[1] When this writ was enrolled, a memorandum was added that: "the above letters were read and sealed before the king, the king himself commanding them to be sealed in the presence of John of Brittany, earl of Richmond, Henry of Percy, Hugh le Despenser, William Melton and Adam of Osgodby." This memorandum was probably intended as evidence that the Chancellor was not to be held responsible for the patent, which was sealed at the express command of the king, who thus endeavoured to evade the sentence pronounced in Parliament.

The terms of Gavaston's appointment are in striking contrast to those of Richard de Burgh's.[2] Richard had merely been appointed lieutenant during pleasure and his powers had not been detailed like those of Gavaston. There is, however, considerable similarity between the appointment of Gavaston in 1308 and that of Mortimer in 1316.[3] Mortimer had power of receiving felons and outlaws into the king's peace, allowing the Irish to live by English law as far as expedient against the Scottish invaders, removing ministers of the crown and substituting others, making alliances with, and promises to England's allies,

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1 Fœdera, ll, i, 51; Patents of Office, etc., pp.4-5, apud Liber Munerum Publicorum Hiberniae, ed. R.Lascelles (1852); C.P.R., 1307-13, p.93. For Richard de Burgh, v. infra, pp. 229 and note 3, 230.

2 Parl. Writs, ll, ii, app., 15; C.P.R., 1307-13, p.93.

3 Mortimer was appointed lieutenant on 23 November, 1316. (Fœdera ll, i, 301-2)

remitting royal debts, selling custodies, wardships and marriages, and giving away or selling any land becoming forfeit to the king by reason of the war. When Mortimer was appointed justiciar for a second time in 1319,[1] his powers were diminished, but provision was made for the maintenance of twenty men-at-arms in the king's employ beyond the number he was bound to maintain, and on the day following his appointment he was given power to remove all ministers of the crown and appoint others in their stead, with the exception of the Chancellor of Ireland, the Treasurer of the Dublin Exchequer, the justice assigned to hold pleas following the chief justice of Ireland, and the chief justice of the Bench at Dublin.

It is therefore evident that Edward strengthened Gavaston's hand in Ireland as much as possible. His reason for this will appear later. Such was the plenitude of Gavaston's power in Ireland that it is even noted by the English chroniclers, whose sources of information for Irish affairs were usually so meagre that they had to be omitted. The Lanercost chronicler relates that Edward furnished his favourite with letters to the effect that, wheresoever he should go within the lands of the king in Ireland tanquam corpus ipsius regis reciperetur cum gloria et honore ..... et ideo cum magna gloria in Hibernia

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1 Morimer's appointment as justiciar is dated 15 March, 1319. (C.P.R., 1317-21, p.317) Until this time no justiciar had had power to remove Irish officers of state and appoint new ones, but up to the general reforms at the end of the reign, the powers of the justiciar tended to increase and approximate to those of the lieutenant. The general effect of the reign, however, was to weaken the justiciar's position, mainly because of the strengthened position of the Irish barons, and the increasing interference, after 1322, of the English government. For much of the historical background of this chapter, I am indebted to an unprinted B.A. thesis (Manchester,

receptus est.[1] Leland quotes one chronicler as stating that Edward assigned to Gavaston totum proficium of Ireland ubi regaliter vixit.[2]

Gavaston's position as lieutenant was anomalous, inasmuch as, throughout his tenure of office, Wogan still acted as justiciar, even appointing William de Burgh as custos on the occasion of his triennial visit to England to make his report.[3] Possibly Gavaston was more of the military commander than the administrative official, but he did a certain amount of administrative work as well. Hence it might be thought that Wogan sought refuge in a routine visit to England in order to ease an awkward situation, though the regularity of his previous visits makes it more likely that the departure of the justiciar shortly after the arrival of the lieutenant, was merely a fortunate coincidence.

Gavaston left for Ireland on 25 June, 1308. At least, this is the official date of his departure which appears in relevant records. In a writ from the king to the Treasurer and barons of the Exchequer, for example, it is stated that "when our dear and loyal Peter of Gavaston, earl of Cornwall, the day after the Nativity of St John the Baptist, 1308, passed

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1 (contd.)
1915) by Arthur Redford, entitled "The Climax of Medieval Ireland."

1 P.212.

2 J.Leland, Collectanea, (1774), i, 248. This chronicle, which Leland thinks was produced either at Evesham or at Pershore Abbey, is, however, late fourteenth century.

3 Wogan left for England in the autumn of 1308. (Ann.Hib., p.337; Ann.Ire., p.293; apud Chart. St Mary's.) Previous visits had

out of England, we took into our hand the county of Cornwall and all its appurtenances and gave to the earl other land."[1] But in view of the fact that a similar statement, which appears in the Pipe Roll for the first year of the reign,[2] is followed by one in that for the seventh year, in which the date of Gavaston's return is incorrectly given as 5 August, 1309,[3] the accuracy of such official records may well be doubted. It was on 25 June, however, that Gavaston was granted letters of protection for one year.[4] Certain of the chroniclers state or imply that he remained in England after this date,[5] but he had

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3 (contd.) been made in 1299, 1302 and 1305.

1 L.T.R. Mem. Roll 80, m.31d; K.R. Mem. Roll 83, m.16d.

2 P.R. 154, m.44.

3 P.R. 160, m.9.

4 C.P.R., 1307-13, p.80.

5 Ann. Paul. (i,263) give the date of Gavaston's departure as 28 June, whilst the Gesta Edwardi (ii, 159) gives it as 7 July. The author of the Vita Edwardi (ii,159) also implies that Gavaston outstayed his time in England, by stating that it was not until 24 June that monarch and favourite set out for Bristol, though he omits to give their point of departure. The Annales Hibernie (apud Chartularies of St Mary's Abbey, Dublin, ed J.T.Gilbert, (R.S. 1884), p.336) make Gavaston cross to Ireland immediately after his appointment, about the feast of Ss Quiricus and Julitta, i.e. 16 June. Ann. Worc. (p.560) imply that he left England on the appointed day. Knighton (i, 406), and the continuator of Trivet (p.6) give no date, though the latter mentions that Gavaston's fear of excommunication prevented his stay in England. There is no truth in the story in the Lanercost Chronicle (p.211) that the original plan was for Gavaston to embark at Dover and to have an annuity of £200 with an extra £100 for his wife, if she would accompany him, and that Edward secretly caused him to sail for Ireland.

every inducement to leave the country by the appointed day, for, by the terms of his banishment, he was to incur greater excommunication if he delayed further in England. There is no doubt on this point. The Annales Londonienses give the Archbishop's sentence in full,[1] and it is summarised in a letter from the Bishop of London to the Bishop of Salisbury, informing him of Gavaston's excommunication, if he disobeyed the Archbishop's injunctions.[2] As excommunication was still a potent mode of chastisement in the early fourteenth century, as Gavaston was to learn to his cost on his return from exile without permission in 1311, there seems no reason to suspect that he stayed in England after the appointed time.

b) Ireland before Gavaston's arrival.[3]

The despatch of Gavaston to Ireland as lieutenant is an indication of the realisation that the policy which Edward 1 had consciously initiated with the appointment of John Wogan as justiciar in October, 1295,[4] of approximating the government of Ireland as far as possible to that of England, was no longer

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1 .... mandantes eidem, et sub obtestatione divini judicii districtius inhibentes, ne post dictum diem in Anglia moram facere, aut imperpetuum reverti praesumat aut ingredi dictum regnum, sub poena majoris excommunicationis sententiae, ex nunc prout ex tunc, proferimus in hiis scriptis. (i,155)

2 Registrum Simonis de Gandavo, ed. C.T.Flower and M.C.B.Dawes, (1934), i, 237-40.

3 For most of this section I am indebted to G.H.Orpen, Ireland under the Normans, iv, (1920) and to Redford, op.cit.

4 C.P.R., 1292-1301, p.155. By the terms of his appointment, he was to receive a salary of £500 per annum, out of which he was to maintain 19 men-at-arms, with 19 harnessed horses. In the event of war, he was to receive his expenses for the army, but nothing further. Such terms indicate the administrative official.

practicable. On the whole, there had been a notable advance in the wealth and general prosperity of those districts where English rule was effective, during Edward 1's reign.[1] But administrative reforms came amiss in what was still a virtual marcher lordship, and premature officialising tendencies inevitably resulted in internal strife and baronial aggrandisement.

Though a long-lived official like Wogan[2] would doubtless exercise more authority and influence policy to a greater extent than a baronial or ecclesiastical justiciar, his hands were tied by the fact that he could rarely act except in concert with the members of the permanent council, which included the Chancellor, the Treasurer, the justices of the Bench and the barons of the Exchequer, all of whom were appointed from England and were irremovable by the justiciar, whose relation to them was but that of primus inter pares.[3]

Of Wogan, Orpen says that his Cambro-Norman extraction and connections enabled him to understand the temperament of both native Irish chieftains and Anglo-Norman settlers so well, "that during his long term of office there was but little disturbance on the Irish marches and no conflict between the Irish magnates and the Government, or between the Irish magnates themselves. In his time, too, the king's influence in Ireland was perhaps greater than at any other period prior to the reign of Henry Vlll."[4] Nevertheless, this was but the calm before the storm.

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1 Orpen (op.cit.,p.31) roughly estimates the annual revenue of Ireland during the last quarter of the thirteenth century as exceeding £10,000.

2 He was justiciar till 1312.

3 Redford, op.cit.

Throughout Edward 1's reign, petty wars were in progress all over Ireland; there was more or less continuous trouble in Wicklow between the O'Byrnes and the O'Tooles; there was intermittent civil war in Connaught among the O'Conors, De Burghs and FitzGeralds; and the anarchy in Thomond, which was temporarily suppressed by its grant to Thomas of Clare in 1276,[1] broke out again in 1307.[2] By the end of the reign it was clear that Wogan's reforms were futile and that Ireland needed a military, rather than an 'official' governor.

The reign of Edward 11 opened disastrously in Ireland. In 1306 a particularly formidable revolt had begun in Leinster, where the restiveness of the Wicklow clans was becoming more pronounced.[3] Then in the spring of 1307, the English in Connaught were massacred and the rebels ravaged the entire district, burning the town of Lea and the castles of Cashel and Kevin.[4] Wogan marched against the rebels, but was utterly defeated at Glendalough,[5] and the revolt proceeded unchecked.[6] Irish affairs had clearly reached a state of crisis. It was evident

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4 (contd.)
Orpen, op.cit.,p.39.

1
The grant was made on 26 January,1276; by it, Thomond was to be held by Thomas of Clare in tail as his liberty as fully as the Earls Marshal had held their liberties. (Cal. Doc. Irel., ii,no. 1194)

2
Orpen,op.cit.,passim.

3
Ann. Hib. apud Chart St Mary's,p.333. The account of John of Hothum assigned to pay the wages of the men-at-arms, horsemen and foot in the company of the justiciar, which was raised to subdue the rebels of Leinster from 23 May to 23 October, 34 Edw.1, appears in the Pipe Roll of that year. Altogether £2,114.4s.10½d. was spent. (D.K. Ire. 39th Report,p.24)

4
Ann. Hib.,p.336; Grace, Annales,pp.51,53.

that Wogan's military abilities were not fitted to cope with the situation, and that a capable general must be appointed king's lieutenant.

The obvious man for the post was Richard de Burgh, earl of Ulster, undoubtedly the most powerful man in Ireland at this time. Succeeding to the earldom in 1271 at the age of twelve, his power was such that by 1287 "his mere word was enough to stay the king of Thomond in a career of conquest which would otherwise have carried him to the throne of Ireland."[1] In some respects the earl exercised a greater influence on affairs than the justiciar; he took first place in the councils of Parliament in right of his vast territories, and in commissions and official documents was often named before the justiciar.[2] Probably it was because the English government feared the effects of increasing power that was already so great, that Burgh was never made justiciar.[3] Possibly, too, it was felt that his loyalty

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5 (contd.)
On 8 June, 1308. (Ann.Hib., p.336)

6
On 16 June, Dunlavin, Tobber and the neighbouring townships were burnt. (ibid., p.336)

1
Orpen, op.cit., p.152.

2
Ibid., p.152; J.T.Gilbert, History of the Viceroys of Ireland, (1865), p.126.

3
He was, however, made locum tenens, during the temporary absence of the justiciar in the autumn of 1299. (Orpen, op.cit., pp.152-3; Justiciary Rolls, i, 287-98) Earl Richard's power was further increased by the marriage of his children into the highest families. His daughter, Elizabeth, married Robert Bruce in 1302. Then in 1308, his eldest surviving son, John, married Elizabeth of Clare, daughter of Gilbert of Gloucester and grand-daughter of Edward 1, whilst at the same time another daughter, Matilda, married Gilbert, earl of Gloucester. In 1312, Catherine de Burgh married Maurice FitzThomas, afterwards

to England, which seems to have been consistent and unfeigned, could be better employed than in what was after all mainly routine work; it was to him in particular, for example, that the king appealed when he sought forces and subsidies in Ireland for foreign wars.[1] However, when the choice seemed to lie between the appointment of the earl of Ulster as justiciar or lieutenant, and the total collapse of English power in Ireland, the king had perforce to bow to the inevitable.

On 15 June, 1308, then, the earl of Ulster was invested with viceregal powers,[2] only to be deprived of them the following day, when a writ of aid in favour of the earl of Cornwall was directed to him instead. Undoubtedly in the short interval, Edward had realised that the potential advantages to be gained from earl Richard's appointment might be had just as easily from that of his brother Peter, and without the attendant disadvantages which the earl of Ulster's lieutenancy might entail. It cannot be denied that anxiety for the welfare of his favourite, rather

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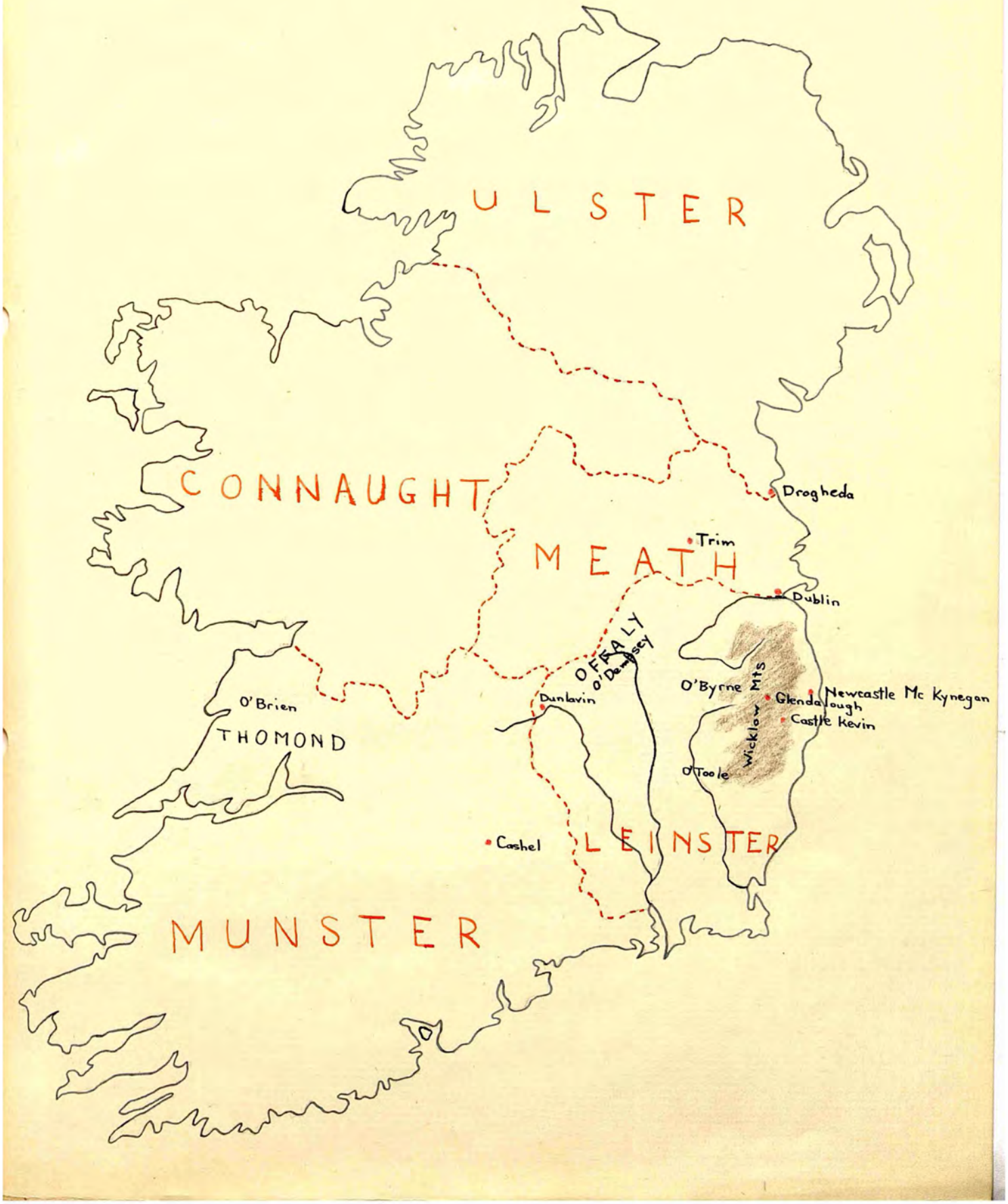
3 (contd.)
earl of Desmond, while Joan married Thomas, son of John FitzThomas of Offaly and afterwards second earl of Kildare, thus effecting a reconciliation between the Burghs and the Geraldines. Other daughters were married to John, son of Peter of Bermingham, and to Sir John of Multon of Egremont, who possessed extensive estates in Cumberland and Lincolnshire and other English counties. (Orpen, op.cit., pp.149-50)

1
In 1296, for example, he joined the king, with Wogan, Theobald Butler, John FitzThomas and others, against Balliol. The following year, he was summoned to join the king's fruitless expedition to Flanders and apparently made preparations to go, but in the October of that year was told to remain in Ireland. In 1301, he was summoned to the Scottish expedition, but did not go. However, in 1303, he took an important part against the Scots, when he was apparently engaged on terms very advantageous to himself. He was one of the principal negotiators of peace after a successful campaign, and, in consideration of his services, the king cancelled his debts to the Exchequer, which are said to have exceeded £11,600. During this last campaign,

Sketch map to illustrate Gavaston's lieutenancy in Ireland.



than for the welfare of Ireland, was uppermost in Edward's mind, but it was a fortunate coincidence for Ireland that in appointing his favourite to the position of supreme authority there, he hoped he had found the best means of alleviating the inconvenience of his exile.

c) Gavaston's success in Ireland.

(i) As a military commander.

The advent of the earl of Cornwall infused new life into the Irish government, and his lieutenancy was marked by a concerted drive against the Irish rebels, accompanied by an unmistakable re-assertion of English authority. Whatever may have been the attitude of contemporary chroniclers to his appointment, they agree in crediting him with displaying military skill against the insurgents.

The date of Gavaston's landing is unknown,[1] but it must have been some time in the summer of 1308. Immediately on his arrival he must have prepared a massed attack on the rebels, and his swift moves were everywhere crowned with success. Already, by 12 September, we read that William Macbaltor was judged and condemned before the justiciar, Wogan, at Dublin,[2] drawn at the horse's tail to the gallows and hanged. Gavaston

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1 (contd.) he dined repeatedly with the Prince of Wales. (Orpen, op.cit., pp.141-5, passim; Exch. K.R. Accts 365/12, mm.2,4,6.)

2 (contd.) It is just possible that the earl may never have learnt of his appointment. This is not very probable, however, as his assent had probably been asked beforehand.

1 According to Ann.Hib., p.337, Gavaston crossed to Ireland about the feast of Ss Quiricus and Julitta (16 June in the Latin calendar): no other chronicler gives a date.

also subdued the O'Byrnes,[1] and, on 28 November, Dermot O'Dempsey, a notorious rebel, was slain by his men.[2] Finally, in 1309, Gavaston consolidated his conquests by rebuilding Newcastle McKynegan and Castle Kevin[3] and by clearing out the pass from this latter castle to Glendalough, in the teeth of Irish opposition.[4] By thus re-asserting English authority in the heart of the Wicklow country and bringing "the Irishmen's high and trade way"[5] under English control, Gavaston did more towards restoring English prestige in Ireland during the few months of his lieutenancy there than Wogan had done during the thirteen years of his justiciarship. Newcastle McKynegan lay in the centre of the east or maritime portion of the O'Byrnes' country, about a quarter of a mile to the west of the village of Newcastle and close to the great road which connected Dublin and Bray with Wicklow and Arklow. A royal castle and the principal military station on the eastern side of this tract of country, that is between Bray and Wicklow, it had been built to protect the English colony there from the O'Tooles and the O'Byrnes.[6] Orpen thinks it doubtful whether it was re-built by Gavaston,[7]

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2 (contd.) Ann.Hib.,p.337; Grace (Annales,p.53) gives the exact date.

1 Ann.Hib.,p.338; Ann.Mon.Beate Marie apud Chart. St Mary's,p.291. The subjugation of the O'Byrnes was only temporary: they broke out again with the O'Tooles in 1311. (Ann.Hib.,p.339)

2 Chart. St Mary's, Ann.Mon.Beate Marie,p.291, Ann.Ire.,p.293, Ann.Hib.,p.337; Book of Howth,p.170; Ann. Four Masters,iii,490; Ann. Clyn and Dowling,p.18; Ann. Loch Cé,p.545. He was killed at Tully in Leinster.

3 For the rebuilding of Castle Kevin, v. D.K. Ire. 39th Rep.,p.34. For a detailed account of Castle Kevin and Newcastle McKynegan, see Orpen's article in Journal, R.S.A.I., (1908), xxxii,17-27, 126-40.

for, though the Pipe Roll for this year contains accounts of payments to the garrison from 20 May to 16 July, 1309, there is no indication that any works were in progress there.[1] Castle Kevin, however, was undoubtedly rebuilt by Gavaston.[2] Glendalough, which is situated six miles from Rathdrum, takes its name from the valley in which it is situated. This valley, which is about two miles in length and about three quarters of a mile in breadth, is enclosed on the north, south and west by mountains, and is everywhere perplexed by bogs and overhung by rocks. The city was situated about half-way up the valley and was accessible only from the east. The centre of the O'Tooles' territory, it was the depository of the wealth of the neighbouring septs.[3] It was therefore no mean achievement for Gavaston to have penetrated thus far into hostile country and to have made good his position there.

His campaign finished, Gavaston went and offered thanks

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4 (contd.) Ann.Mon.Beate Marie, p.281, Ann.Hib., p.338.

5 Book of Howth apud Cal. Carew Mss,, v, 127.

6 S.Lewis, Topographical Dictionary of Ireland, ii, 389; Orpen, op. cit., p. 12.

7 Op.cit., p.154.

1 D.K. Ire. 39th Rep., p.34.

2 Orpen suggests that in the main, Gavaston's rebuilding of Castle Kevin must have followed the lines of the previous castle of Robert of Ufford of 1277, for the small amount spent on it seems to indicate that much of the old work remained. The part taken by the crown in rebuilding it in 1277 and restoring it in 1308 shows the importance attached to it: apparently it had a special claim on the king for military purposes, though it never ceased to be regarded as the property of the Archbishop of Dublin, who contributed £100 to its restoration on this occasion. (Journal, R.S.A.I., xxxii, 23)

3 Topog.Dic.Ire., i, 647.

in the church of St Kevin.[1] The remainder of his lieutenancy seems to have been undisturbed by fighting.[2] Several writers have stated that there was some bickering between Gavaston and the earl of Ulster. This mistake is apparently based on an entry in the Annales Hibernie, that Richard de Burgh, after having held a great feast at Trim at Pentecost, at which he knighted Walter and Hugh of Lacy, venit contra Petrum Gaveston, Comitem Cornubie, apud Drogheda on 14 August. The entry continues et eodem tempore remeavit passagium in Scociam.[3] There is nothing here to suggest that the meeting between earl Richard and the lieutenant was anything but friendly or that the earl ever acted in any way contrary to the writ of aid which had been addressed to him in Gavaston's favour. The only ~~other~~ indication that Gavaston did not receive active co-operation from all the Irish magnates is contained in the fragmentary Annals of Ireland, where it is stated that on 25 April, 1309, Gavaston led an army against the Irish of Leinster, and all would have gone well with him, if he had not been hampered by a certain magnate of Leinster:[4] by no effort of imagination could Richard de Burgh be termed 'a magnate of Leinster.'[5] Leland,[6] Lascelles[7]

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1 Ann.Mon.Beate Marie, p.281, Ann.Hib., p.338.

2 There is an entry in the Archives of Castle Dublin (Cal.Car.Mss. p.455) relating that "Pearce de Gavaston, Lieutenant of Ireland ..... went into Thomond and performed good services there, with virtue and valour," but this is certainly an error, caused by the confusion of the O'Byrnes of Wicklow with the O'Briens of Thomond. Evidence that Gavaston did not penetrate to Thomond is to be found in the Caithréim Thoirdheabhaigh, ed. S.H.O'Grady, (1929), which is solely concerned with the feud between the Ui-Bloid and the Clancullen for the years 1308 and 1309. The Archives of Castle Dublin were those records preserved in Dublin castle from which Carew made excerpts: this is his only method of reference to these documents. This error of Gavastons

and Gilbert[1] have interpreted Ulster's holding court at Trim and knighting his followers,[2] as a slight to Gavaston, but there is no contemporary authority for this belief. In any case, Pentecost in 1308 fell on 2 June, when Gavaston's lieutenancy had not even been thought of. What documentary evidence there is,[3] all points to the continued loyalty of the earl of Ulster, of which still more convincing proof is offered by the Caithréim Thoirdheabhaigh, which describes him as an 'earl of English

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2 (contd.)
visit to Thomond has, however, been included by Rowley Lascelles in his introduction to the Liber Munerum Publicorum Hiberniae. (p.18).

3 Chart. St Mary's, p.338.

4 Ibid., p.294.

5 In any case, by this date he had probably left for England.

6 History, p.262.

7 Op.cit., p.18.

1 History of the Viceroys, p.128.

2 There was nothing unusual in Ulster's holding court at Trim. Except when 'in the king's hand,' his domains were never visited by the justiciar, nor the justices, sheriffs or other Crown officers; aids and subsidies were not levied there, nor were the barons of Ulster in the feudal array. (Orpen, Ireland under the Normans, p.132) With Ulster practically independent of the Crown, the earl would naturally create his own knights. In 1304, for example, before setting out on the Scottish campaign, he made thirty-three knights in Dublin castle. (Ann.Hib., p.321)

3 His stay in England is marked by numerous instances of the king's continued confidence in him. On 4 July, 1309, Henry of Walton, one of Edward 1's chamberlains, was, at his request, pardoned the payment of certain debts still due to the Exchequer. (L.T.R. Mem. Roll 79, m.112d.) Again, on 6 August, Richard was pardoned the yearly rent of £500 due from his Connaught lands and was given the custody of the king's castles of Roscommon, Randown and Athlone. (C.P.R., 1307-13, p.182) In the same month he was appointed to treat with Robert Bruce for terms of peace, a position of great trust and reponsibility. (Fœdera, II, i, 85; C.P.R., 1307-13, p.189.) Later, on 4 September orders were made out for the enforcement of Edward 1's writ of

blood'[1] and specifically states that: "Had it not been the earl of Ulster's earnest and speciously voiced monitions (prompted as they were by inherent leaning to the English) that from such enterprise dissuaded Turlough, now for asurety he had been all Ireland's king."[2] True, Ulster left for England not long after Gavaston's arrival in Ireland, but the original plan seems to have been that they should go together to Scotland.[3] I have not found the exact date of Ulster's departure, but it was probably shortly after 12 April, 1309.[4] He returned to Ireland from England on 24 December.[5]

On the whole, Gavaston received active co-operation from the Irish magnates against the rebels, and the military activity which marked his lieutenancy is in striking contrast to the apathy which preceded his arrival, when much of the lawlessness in Ireland was due to the fact that the king's enemies were allowed to commit grievous outrages against him and his peace,

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3 (contd.)
15 August, 1304, by which earl Richard had been pardoned all debts due to the king up to that time, in consideration of his good service in Scotland and elsewhere. (C.Cl.R., 1307-13, p.172.) Finally, after his return to Ireland, he was appointed leader of the Irish contingent against the Scots on 18 June, 1310 (Fœdera, II, i, 109), and the following 16 December, two of the Templars' manors were farmed to him. (C.F.R., ii, 76) Still more important as evidence that there was no hostility between the earl of Ulster and the lieutenant, is the fact that it was at Gavaston's instance that on 12 September, 1308, orders were made out for the payment to him of £2,150.15s. out of an original debt of £4,000, for his arrears of wages for the Scottish war. (Cal. Rot. Pat. et. Claus. Hib.; C.Cl.R., 1307-13, p.38; Exch. K.R. Accts 235/20, m.4) For instances of Ulster's co-operation with Gavaston, v. infra, pp. 252-3.

1 Caithréim, p.29. 2 Ibid., p.28.

3 V. Exch. K.R. Accts 235/11, m.1, where there is a list of prests to various magnates and others ire debentibus in Scotiam in

wandering from county to county, "through the negligence of the inhabitants, who refuse to move from their own parts to the neighbouring parts, where these outrages are being committed, for the defence of these parts."[1] Gavaston's success is probably due in part to the fact that the king seems to have done everything possible to ensure it. All the revenues of Ireland seem to have been placed at his disposal, and he also received certain financial assistance from England.[2] Further, during his lieutenancy, Ireland was not subjected to those demands for

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3 (contd.)
comitiva dicti comitis (i.e. the earl of Cornwall) et comitis Ultonie.

4 Ann.Hib.,p.339, gives only the year date. Ulster was accompanied by Roger Mortimer and John FitzThomas. On 12 April, 1309, he witnessed a charter at Dublin, to which Gavaston was another witness. (Cal. Ormond Deeds,i,172)

5 Ann.Ire.,p.294, Ann.Hib.,p.338. Apparently he was to have returned before that date, for Guy Cokerel, going to Ireland in his company, had letters of attorney dated 11 June. (C.P.R., 1307-13,p.119)

1 V. C.Cl.R.,1307-13,p.38, for a writ, dated 5 June,1308, ordering Wogan to proclaim that all men of the counties attacked by the king's enemies and malefactors, should be present to resist them when necessary and follow them at once with hue and cry. The following day, orders were made out directed to Wogan, for the observance in Ireland of the Statutes of Winchester and Westminster. (ibid.,p.67)

2 V. infra,p.246.

men and money for the Scottish war,[1] which had so crippled her resources during Wogan's justiciarship.[2]

Most of the credit for England's successes during Gavaston's campaign, however, is due to Gavaston himself. His engaging personality and military skill found favour with the Irish, who doubtless exerted themselves more under his standard than under that of the justiciar. Murimuth states that in Ireland, Gavaston regaliter vixit ..... et fuit bene dilectus, erat enim dapsilis et largus in muneribus dandis, et honoribus et terris sibi adhaerentibus procurandis.[3] Doubtless many of the Irish succumbed to this subtle bribery, and the support of those who did not would very likely have been won by the very fact that the lieutenant was himself an exile from England.[4]

Of Gavaston's actual campaigning methods, little is known. Possibly he took certain tried soldiers from England with him, to form the nucleus of the Irish army,[5] but he seems

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1 The list of prests already referred to (Exch. K.R. Accts 235/11, m.1) is the only instance of its kind during Gavaston's lieutenancy. The writ of 29 June, 1308, bidding Dublin merchants to come to Cumberland to sell their wares to those going on the Scottish campaign, may or may not have arrived in Ireland after Gavaston's arrival. (L.T.R. Mem. Roll 78, m.84d.)

2 By a mandate dated 5 December, 1301, Wogan was ordered to purvey 200 tuns of wine and 200 tuns of honey for the maintenance of the Prince of Wales during the Scottish expedition. (C.P.R., 1301-7, p.4.) Then in Edward II's reign, orders dated 19 June, 1308, were sent to him, requiring him to provide for the proposed Scottish campaign. (ibid., 1307-13, p.81) Finally, proclamation was ordered in Dublin, Drogheda and elsewhere on that coast, by a mandate of 20 June, that all merchants having victuals for sale about 15 August, were to proceed to Scotland, where they would be bought by the king and his army, two of the king's clerks being sent to Ireland to ensure the enforcement of this edict. (C.Cl.R., 1307-13, pp.72, 39)

3 P.12.

4 There was also the charm of novelty. The Annales Londonienses

to have carried on considerable recruiting from amongst the Irish. Unfortunately the Irish Pipe Rolls, which would have shown how men were recruited and where the government obtained its troops, all perished in the disastrous fire of 1922. Certain essential facts, however, can be gleaned from the calendar.[1] There is the account of John of Hothum,[2] who was assigned to pay the wages of the men-at-arms, horse and foot in Gavaston's company, who were raised to suppress the Irish rebels of the Leinster mountains. Unfortunately this appears in the same account as the wages of the workmen employed in repairing Castle Kevin: one total, £814. 13s.8½d., covers both forms of expenditure.[3] Then there is the account of Philip of Staunton, who was assigned to pay the men-at-arms in the company of the justiciar's deputy, William de Burgh, engaged in the same business: his payments in connection with the bringing up of troops from Connaught, and to the different magnates with their special followings, amounted to £285.11s.

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4 (contd.)
(p.156) state that Gavaston pompose se gerens, mores novellos saeculo inauditos adinveniens, mirabili varietate vitam adduxit.

5 Baker (p.3) states that Edward sent Gavaston to Ireland with a large army, but other accounts say that he was accompanied only by his wife. The Book of Howth (p.170) and the Annales Hiberniae (p.336) make his sister-in-law, the countess of Gloucester, one of his companions, but in his notes to Grace (p.52), Butler emends this reading to cum uxore scilicet sorore comitis Gloverniae, on the grounds that the scribe mistook the contraction for scilicet for et, and then changed comitis into comitissa. There was no countess of Gloucester until Michaelmas, when the earl of Gloucester married Matilda de Burgh, daughter of the earl of Ulster.

1 Cal. Pipe Roll Ire. (D.K. Ire. 39th and 42nd Reports.)

2 D.K. Ire. 39th Rep.,p.34. On 23 April,1309, John had an order for £500 for this purpose. (Cal.Rot.Pat.et Claus.Ire.,p.103.)

3 According to Exch. K.R. Accts 235/20,m.3, however, his expend-

4d.[1] Finally there is John of Dene's account for the cost of the army which was sent against the rebels at Newcastle McKynegan, this amounting to £64.8s.6d.[2]

Gavaston raised two armies against the rebels, the army of Newcastle McKynegan and that of Castle Kevin. There may also have been a third under the leadership of William de Burgh, though he was more probably second in charge to the lieutenant.[3] Newcastle McKynegan was very strongly garrisoned[4] and £66.11s.4d. was spent in purveying corn, wine and other provisions which were sent there to be stored in readiness for the expedition into Leinster in the summer of 1308.[5] Although the exact method of recruitment will probably never be known, certain particulars of the process can be gathered from various entries in the calendar of Patent and Close Rolls and in that of the Pipe Rolls. The sheriff of Dublin, for example, was ordered to summon all his bailiwick to be with the justiciar or his lieutenant at Castle Kevin on a specified day, with horses and arms and fit equipment.[6] Leinster was due to provide a hundred services for the army of Castle Kevin,[7] and troops were brought

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3 (contd.) iture was £834.14s.0½d.

1 D.K. Ire. 39th Rep.,p.34; cf. Exch. K.R. Accts 235/20,m.3.

2 According to P.R. 171,m.31d, this account is only from 18 June to 5 July,1308. In the fuller entry in the Irish Pipe Roll calendar, however, it is given as from 20 May to 16 July,1308. (D.K. Ire. 39th Rep.,p.34.)

3 V. supra,p.239 and note 3 for the account of payments to men-at-arms in his company.

4 From 20 May to 16 July,1308, the cost of the upkeep of this garrison, together with payments to two other men, one of them in the company of John Wogan, amounted to £62.13s.4d. (D.K. Ire.

from Connaught to assist William de Burgh.[1] We have no means of knowing how many services were due on this occasion or how many were paid immediately, but debts on that account are outstanding throughout the reign. In the seventh year, for example, the earl of Ulster accounted for payments in respect of three services out of Ulster for the army of Newcastle McKynegan and was quit,[2] but in the nineteenth year he still owed £35.13s.4d. for seventeen services and a half and a third part of a service from Tipperary for the army of Castle Kevin.[3] In the eighteenth year, services were still due from Dublin County[4] and Louth

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4 (contd.)
39th Rep.,p.34.)

5 The account of the purveyors appears in the Pipe Roll for 6 Edw. 11. (ibid.,p.38)

6 Cal. Rot. Pat. et Claus.,p.106.

7 D.K. Ire. 39th Rep.,p.49. In the account for Wexford which appears in the Pipe Roll for 7 Edw. 11, account is made for £44. 8s.10½d. for a fourth part of these services. At the same time a like sum was paid for the hundred services due for the army of Loxeuedi in the time of the justiciar, Wogan.

1 Account of Philip of Staunton. (ibid.,p.34.)

2 Ibid.,p.51.

3 D.K. Ire. 42nd Rep.,p.70. Other defaulters in Tipperary for this year were Theobald Butler (£44 for 22 services) and the Lady of Moyaluy (£4 for 2 services.). These three had previously been noted as defaulters in the Irish Pipe Roll for 12 Edw. 11, but the amount of the sums they owed is not given in the calendar. (ibid.,p.12)

4 The services due from Dublin County were as follow: Walter le Bret (£2.8s. for 1 service and ½ and ¼ services), Richard of St Michael (£3 for 1½ services), Raymond of Carrew (16s.8d. for 1 service), Reginald of Berneual (£1.10s. for 1 service), John of Verdun (£1 for ½ service), John Wallop (£2 for 1 service); services were also due from John FitzDermot, Stephen of Hereford, Michael of Angulo, John Wallop, Turuy, Dreynan, Lyspobel, Balymadonan and Molaghyde. (ibid.,p.52)

Liberty[1] for the army of Castle Kevin, and the following year the accounts for Limerick County show a lengthy list of defaulters.[2] It was mainly in respect of the army of Castle Kevin that services remained due, but the accounts for Cork County for the eighteenth year show three debtors who still owed services for the army of Newcastle McKynegan.[3]

From the evidence of these Pipe Rolls, together with the list of prests already referred to,[4] it appears that in his campaign against the rebels, Gavaston received assistance from all the Irish magnates of note. The earl of Ulster seems to have been an exception. He apparently took no active part in the campaign. Possibly, however, he was engaged in making preparations to go to Scotland. In any case, he provided his due

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1 Lowth owed for 2½ services and ⅕ of a service, but accounted for 10 in respect of Atherdee. (ibid., p.63)

2 These were Maurice FitzGerald (£8 for 8 services), John FitzThomas, by Thomas FitzMaurice (£16 for 16 services), Hamo of Valon' (£5.6s.8d. for 8 services), John le Botiller (£22 for 11 services), Herbert of Farendon (£1.6s.8d. for ½ and ⅓ services), Robert of St Michael (the same for the same), Robert le Botiller (the same for the same), Richard of Mora (the same for the same), John FitzPhilip (10s. for ¼ service), Nicholas Crompe (the same for the same), the heirs of William of Rayleyg (£1.6s.8d. for ½ and ⅓ services), Robert of Pertaponte (2s.8d. for ⅕ service), William of Lyouns (10s. for ¼ service), Obreen (£64 for 32 services), Sir Philip Ulf (£6.6s.8d. for William FitzPhilip as in the roll for 4 Edw.II). (ibid., p.72)

3 These were Maurice of Carew (£60 for 30 services), Milo of Courcy (£60 for 30 services) and Gerald of Prendergast (£3 for 1½ services.) (ibid., p.61)

4 Exch. K.R. Accts 235/11, m.1. These prests were to those due to go to Scotland in the company of the earls of Cornwall and Ulster, but it is most unlikely that the recipients had not previously served under Gavaston.

number of services, and his cousin, William de Burgh, actively co-operated with the lieutenant, himself leading an army against the rebels. It is interesting to note that Gavaston seems to have had no difficulty in raising troops and equipping them, though debts for the services due for Wogan's army of Loxeuedi were still due, and, in some cases, remained outstanding throughout the reign.[1]

Before we turn from the military to the administrative side of Gavaston's Irish activities, it must be remarked that none of his military successes is mentioned in the English chronicles,[2] the majority of which confine their remarks on the subject of Gavaston's lieutenancy in Ireland to allegations that he squandered the country's revenues. This omission is not without its significance. The English chronicler did not record Gavaston's successful Irish campaigns, because he knew nothing about them. Communication between the two islands was difficult, and the average Englishman, totally indifferent to Irish affairs. Hence it follows that in England, Gavaston was not given credit for his military skill in Ireland, and his relations with the English baronage on his return were in no wise coloured by consideration of his creditable performance during his exile. If it seems strange that the most distinguished and most successful representative of the English crown in Ireland during the fourteenth century

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[1] In some instances until the fifteenth year. (D.K. Ire. 39th Rep., pp.67,68,74; ibid., 42nd. Rep., pp.15,24,30,41.)

[2] With the exception of The Annals of the Four Masters, The Annals of Ulster and, of course, the Caithréim, which is concerned purely with local doings in Thomond, all the Irish chronicles record Gavaston's exploits.

should have been a Gascon, and still more strange that his successes should have gone practically unrecorded, it must be remembered that this attitude of ignorance on the part of the English chroniclers towards things Irish, is the outcome of the apathetic attitude of fourteenth-century England towards her sister island. The prevalence of this attitude goes far towards explaining why it was that Ireland remained in a state of more or less continual unrest throughout the period of Anglo-Norman rule, to become virtually independent of England after that rule had been tried by Edward Bruce's invasion, and found wanting.

(ii) As an administrator.

The administrative side of Gavaston's lieutenancy is not undistinguished. It seems to have been hitherto assumed that because Gavaston did not supersede the justiciar, who left William de Burgh as his locum tenens[1] on his departure for England in the autumn of 1308,[2] he must have concentrated on the military side and left the administrative side to the justiciar's deputy. Much of Gavaston's administrative activity has left no trace,[3] but, as we shall see, there still

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1 William de Burgh received a fee of £500 a year in this position until April, 1309, with an additional £100 as the king's gift. (Cal. Rot. Pat. et Claus., pp.40,68,109; Exch. K.R. Accts 235/20, m.4)

2 Ann. Ire., p.293, Ann. Hib., p.337. The same year, Wogan was sent to Scotland on the king's business, and received a prest of 40 marks towards his expenses. (Ibid., Exch. K.R. Accts 373/24, m.2)

3 In a 'Memorandum on the Records destroyed by fire, A.D. 1304,' there is a list of the official documents delivered to Walter Thornbury, Chancellor of Ireland, by the executors of Thomas Cantok, Bishop of Emly, his predecessor in office, who died on 3 February, 1308. (Cal. Rot. Pat. et Claus., p.273) This

remains sufficient evidence to show that he, not William de Burgh, was the head of the administration.

It has been said above[1] that Edward did everything possible to help his lieutenant in Ireland. This assistance, however, was financial, rather than personal. Money, rather than men, was sent to Ireland with Gavaston. Orpen says that he went to Ireland with a splendid retinue,[2] but this is not borne out either by the chronicles[3] or by the records.[4] Probably he went to Ireland with a select few, these including Otto Ferre,[5] John of Charlton, Robert of Hoo, junior, John of Knockin, Humphrey of Littlebury[6] and Robert of Kendal.[7] He may a week or two later

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3 (contd.)
includes xxvii bille Petri de Gavaston Comitis Cornubie tenentis locum eiusdem Regis in Hibernia in uno filacio existentes de tempore predicti Episcopi. (Facsimiles of National Mss. Ire., iii, plate iii; Cal. Rot. Pat. et Claus., p.416) Dimitresco made fruitless enquiries concerning these documents. (p.47, note 2)

1 V. supra, p.223.

2 Op.cit., p.153.

3 Baker (p.3) says that Gavaston took a large army to Ireland with him, and the Annales Hiberniae (p.337) relate that he arrived cum pompa vehementi, but the other chroniclers are silent about his entourage.

4 No lists of the issue of letters of protection to those going with him appear on the Patent Roll.

5 L.T.R. Mem. Roll 78, m.62; K.R. Mem. Roll 81, m.31. Otto is referred to as the king's yeoman and a prest of £200 is ordered to be paid to him. The writ is dated 11 June.

6 Orders for the making of letters of protection for them were given by a mandate of 25 June, but no original instrument except Gavaston's own letters appears for this date. A Nicholas(of Haddenham?) is also included in the warrant. (Ch.W. 60, nos. 222,224)

7 Letters of protection were granted to him on 2 June. (C.P.R., 1307-13, p.117) Both he and Humphry of Littlebury were knights of Gavaston.

have been joined by John of Wyke, Richard of Middleton[1] and Henry of Raleye.[2] His nephew, Bertrand Calhau, probably joined him at the end of the year.[3]

With regard to money matters, however, we are firmer ground. The general view of the chroniclers seems to be that the whole revenue of Ireland was placed at Gavaston's disposal.[4] Some further allege that Edward sent funds from England to him, and that he wantonly consumed both the Irish revenues and the treasure provided by the king.[5] The charge of squandering the money at his disposal, however, is easily disproved by the fortunate survival amongst the English Exchequer documents, of the *recepta* of Alexander Bicknor, Treasurer of Ireland, for the period of Gavaston's lieutenancy.[6] These show that Gavaston took at least £1,333.6s.8d. to Ireland with him,[7] for that amount was delivered to the Treasurer by Walter of London, chaplain and treasurer of the lieutenant.[8] All this money was spent

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1 Letters of protection were issued to them on 14 July. (*ibid.*, p.90)

2 Henry was granted letters of attorney for two years on 10 July. (*ibid.*, p.90) There is no evidence, however, that either he or John of Wyke or Robert of Middleton had any connection with Gavaston.

3 He left for Ireland in December, receiving a prest of 100 marks on his expenses. (*ibid.*, p.94; Exch. K.R. Accts 373/24, m.2)

4 Baker (p.3) says that Gavaston was assigned all the receipts of the Irish Exchequer. Murimuth (p.12) makes a similar allegation: *et totam utilitatem terrae Hyberniae assignavit eidem*. *Cf.* also Harl.Ms. 636, f.232.

5 According to *Chron. Melsa* (ii,327), the king's revenues were sent to him from England and *peculanter sunt absumpti*. The *Annales Paulini* (i,263) agree that *mox eum thesaurus regis sequebatur*. *Cf.* also *Lanercost* (p.212), Knighton (i,408) and *Vita Edwardi*. (ii,160)

6 Exch. K.R. Accts 235/12. Alexander had been appointed Treas-

in making advances (prests), by Gavaston's command, to those who were due to go to Scotland in his company and in that of the earl of Ulster.[1] Payment was ordered for most of them by Gavaston's letters patent which were, at the time this account was drawn up, in the treasurer's custody, and which may well be some of the missing twenty-seven bille mentioned above. There is also extant a schedule of various memoranda in respect of

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6 (contd.)
urer on 28 October, 1307. (C.P.R., 1307-13, p.13)

7 Probably Gavaston took a considerable supply of stores with him as well. On 1 June, for example, Edward had given him 1,101 quarters and 4 lbs. of wax, this having cost £42.17s.4d. (I.R. 143, m.3)

8 Bicknor's account appears in the Pipe Roll for 19 Edw.II. (P.R. 171, m.31)

1 These prests are as follow:

To Edmund le Butler	-	£200	
To Eustace le Poer	-	£200	
To Walter Lenfaunt	-	100 marks	
To Jordan of Caunton	-	£100	
To John FitzThomas	-	200 marks	
To John le Poer, baron of Donoyle	-	£100	
To Peter le Poer	-	£20	
To Walter of Lacy	-	£44.8s,10d.	By Gavaston's letters patent in the Treasurer's custody
To Hugh of Lacy	-	£22.4s.6d.	
To William of Caunton	-	£40	
To Walter and Hugh of Lacy	-	£100 forinseco	
To Walter of Vaux	-	20 marks	
To Alexander of Bicknor	-	£100 sine littera.	
To various sailors in the ports of Dublin and Drogheda	-	£19.15s.8d. by dividend.	
To Richard de Burgh, earl of ulster	-	£1,000	
Sum	-	£2,059.15s.8d.	

Further entries are:

100 marks to John Wogan by letter patent (cancelled)
£106.8s.2d. to Alexander of Bicknor by order of the

certain sums received by the Treasurer.[1] From this it appears that on 20 August, 1308, he received £100 of the 1,000 marks of the earl of Cornwall's money, which the chamberlain received after Richard of Oving left the Exchequer, and on 16 September, a further £106.8s.2d. Of the king's money, he received only £33.6s.5d. It is possible that the money referred to here as belonging to the earl of Cornwall was really the king's present to him, but it may equally well have been his own. In any case, in view of these accounts and of those which appear in the Pipe Roll, for the campaigns against the Irish rebels, Gavaston can no longer be accused of squandering the funds which were put at his disposal.

Another debatable question in connection with Gavaston's lieutenancy, is whether there was a Parliament during his stay in Ireland, and, if so, whether he attended it. Despite Miss Clarke's belief,[2] I have found no evidence that there was a Parliament during Gavaston's lieutenancy. As her authorities, Miss Clarke gives Dowling's Annals,[3] the Annales Hibernie[4] and the An-

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1 (contd.)
Treasurer and by dividend sealed with his seal. 20s. to the same which J.Abbot, his colleague, received from Walter of London, chaplain of the earl of Cornwall.

Sum - £2,267.3s.10d.

All the other entries are by order of the Treasurer. One records the payment of £7, without writ or letter, to Richard of Wotton, clerk of the earl of Cornwall.

1 Exch. K.R. Accts 235/11,m.3. On the back of this schedule it is noted that it was found in a chest together with the controller's rolls which were sent from Ireland, and afterwards confused with the great roll of receipt by the auditors of account in England. An identical note appears on ibid.,235/12,m.1, which is a schedule recording the handing over to Alexander of Bicknor of the £1,333.6s.8d. referred to on p.246.

nales Monasterii Beate Marie,[1] which all state that a Parliament was held at Kildare, though sub anno 1310, whilst the first two further state that it was there that Arnold le Poer was acquitted of the death of John of Boneville, because he killed him in self-defence.[2] The mere fact that the date of the Parliament is given as 1310, is, of course, no argument against its having been held in 1309; the date of the Kilkenny Parliament of 1310 appears in some Irish chronicles as 1309, though internal evidence proves the incorrectness of the entry.[3] What is more important, is the fact that Miss Clarke's three authorities are

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2 (contd.)
"The Parliament of Kildare (1309) made peace between Arnold le Poer and the relatives of John of Boneville, whom he had slain." ("Irish Parliaments in the Reign of Edward II" in R.Hist.Soc. Transactions, 4th series, ix, 29-62.)

3 P.18.

4 Chart. St Mary's, p.339.

1 Ibid., p.291.

2 John of Boneville had been appointed steward of Kildare and Catherlagh on 29 November, 1308. (C.P.R., 1307-13, p.417) He was killed by Arnold le Poer and his accomplices near Arscol (county Kildare) on 2 February, 1309. (Ann.Ire., p.294, Ann.Hib., p.338.

3 Grace, Annales, pp.56,57; Ann. Ire., p.294. The entry, which is the same in each case, Grace probably having borrowed it from the Annals of Ireland, records that on the Octave of the Purification, a Parliament was held at Kilkenny by the earl of Ulster and the justiciar and other magnates, at which great discord between the magnates was allayed and many statutes passed, which would have been greatly to Ireland's good, if they had been observed. In February, 1309, of course, the justiciar was in England. Both Butler (in his notes to Grace's Annals, pp. 56,57) and Lynch (A View of the Legal Institutions, pp.52,53), however, seem to think that this Parliament was held in 2 Edward II.

are really two, for the seventeenth century Dowling probably derived his information from the others. Possibly these two may even be further decreased to one, for the compiler of the Annales Hibernie, who usually relied on the fragmentary Annals of Ireland, the most important source of information for Irish history for this period, may well, in this instance, where his favourite source is silent, have gone to the Annales Monasterii Beate Marie, or to the authority from which this was compiled. It is quite probable, therefore, that in the statement that a Parliament was held at Kildare in 1310, 'Kildare' was in the first place really a slip for 'Kilkenny.'[1] On the other hand, it is possible that if by 'Parliament,' the chronicler simply meant 'council,' a parliament of such a nature might easily have been held for the express purpose of trying Arnold le Poer, and not for legislative purposes at all. Such a parliament would have been but meagrely attended, for the magnates were for the most part campaigning throughout this year. It is for this reason extremely unlikely that Gavaston attended.

His activity in other aspects of the administration, however, was not lacking. It has already been noted that, by the terms of his appointment, Gavaston was empowered to appoint and remove royal officers at will.[2] He did not employ this power to the full, since we find certain appointments still

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1 Redford, op.cit., seems to have found no evidence that a Parliament was held in 1309.

2 V. supra, p.221. Dowling (Annals, p.18) briefly summarises Gavaston's powers as jura regalia.

being made from England,[1] but he did make use of it to a limited extent, as when, for example, he appointed Henry of Guildford as hostiarius of the Dublin Exchequer,[2] and Michael of Ferndon as keeper of the writs and rolls before the justices in eyre in Ireland.[3] It is significant that the important appointments were still made from England. This may have been due partly to chance, by reason of Gavaston's preoccupation with military affairs, and partly to design, in that Gavaston may not have wished his government to be marked by any striking innovations. In any case, it is tempting to think that no officer was appointed without his approval, in which connection it is interesting

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1 Hugh Canon was appointed justice of the Bench at Dublin, Walter of Thornbury, Chancellor of Ireland, and William of Clere, Chancellor of the Irish Exchequer, all from England. (C.P.R., 1307-13, pp.92, 106, 107) The county of Limerick and the town of Cork were similarly committed to Richard of Clare. (C.F.R., ii, 42; O.R. 70, m.3) Finally William le Marshal was granted the bailiwick of the marshalsea of Ireland, which was of his inheritance, by orders received from the king. (C.Cl.R., 1307-13, p.116) William of Clere was appointed Chancellor of the Irish Exchequer on 13 March, 1309. The following 14 May, he was superseded by Gavaston's paymaster, John of Hothum, but the appointment was again from England. (C.P.R., 1307-13, p.114) Hothum, incidentally, still retained his post as baron, the more important office, which he is found holding as early as 14 March, 1306. (C. Just. R., 1305-7, p.226. I am indebted to Redford for this reference.) Apparently, soon after his appointment as Chancellor, he was sent to England by the king's council in Ireland, for he is found being paid £20 (in addition to £20 already received) for his journey and stay there pro specialibus negotiis ~~XXXXXX~~ ipsius domini Regis in Angliam expediendis, from 1 July, 1308 to 20 January, 1309. (P.R. 171, m.31; Exch. K.R. Accts 235/20, m.4.) On 29 January, 1310, Nicholas of Balscott was appointed to the office, at Gavaston's request. (C.P.R., 1307-13, p.206)

2 From 24 April to 9 August, 1309, he received 13s.4d. in wages at the rate of 1½d. a day. (Exch. K.R. Accts 235/20, m.5) Henry of Guildford was one of Gavaston's yeomen of the chamber. (Add. Ms. 22923, f.5v.) Presumably the office of hostiarius or usher of the Irish Exchequer corresponded to that of the English Exchequer, though in England the office, as well as being very ancient, was also hereditary. The hostiarius had to guard all avenues to the Exchequer and see to the safe-keeping of the

to note that in the memorandum recoring the handing over of the seal to Walter of Thornbury[1] it is stated that it was kept in the Treasury, after the death of the Bishop of Emly, under the seals of Master Walter of Islip and Hugh Canon until the arrival of Gavaston, who gave it to Thornbury to keep. As the date of this memorandum is between 3 and 20 February, 1309, and Thornbury was not appointed Chancellor officially until 4 March, it certainly looks as though the initiative came from Gavaston and that the king merely confirmed what was already an accepted fact.

Gavaston does not seem to have been assisted at all in his administrative capacity by William de Burgh, nor, indeed, with two exceptions, do we find him acting in collaboration with any of the other magnates. These two exceptions are important, however, as proving that friendly relations must have existed between the lieutenant and the earl of Ulster. The first is merely a charter to which both were witnesses,[2] whilst the second is their joint grant of protection to the prior and the sick of the house of St Salvecur, in order that they might purchase the wherewithal to sustain the sick.[3] In parenthesis, it might be noted that the date of the charter is given as 12 April, 1309, thus proving that Richard de Burgh remained in Ireland perhaps for the whole, certainly for a great

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2 (contd.) records, whilst in England he could also be employed in delivering the king's writs and even in making arrests. The chief usher had deputies. (T.Madox, The Exchequer, (1769), ii,271-81.)

3 By a mandate of 9 March, 1311, orders were given to view his letters of appointment and renew them. (C.Ch.W., i,347)

1 Cal.Rot.Pat.et Claus., p.273. 2 Cal. Ormond Deeds, i, 172.

part of Gavaston's lieutenancy.

The destruction of the Irish records has resulted in the curious fact that Gavaston's acts in Ireland are nearly equalled in number by mandates from England,[1] there being but eight of the former to seven of the latter. It is sufficient explanation of this discrepancy to note that not one of these eight acts of Gavaston's survives in the original. But for their preservation in printed calendars or in later transcripts or in references embodied in English records, there would be nothing to show that Gavaston interested himself in the government of Ireland. These acts vary considerably in content. From one of the Irish Exchequer documents sent over to the

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2 (contd.)
Other witnesses were William de Burgh, who is here referred to as justiciar of Ireland, Roger Mortimer, John FitzThomas, Maurice of Rochefort, Eustace le Poer and many others.

3 This appears from a petition which was granted on 4 September, 1309. (A.P. 194/9658; Ch.W.1, 64/673)

1 On 16 July, 1308, Gilbert, of the order of Friars Minor, was, by Edward's orders, pardoned 410 of the 450 marks which he owed as a fine for allowing himself to be elected Bishop without licence. (C.F.R., ii, 27) Later, on 22 August, orders were made out directed to Wogan, requesting him not to distrain Peter of Hampton, whilst on 10 November, a mandate from England was addressed to the Treasurer and chamberlains of the Dublin Exchequer in favour of the Carmelite friars of Ardee. (C.Cl.R., 1307-13, pp.75, 83.) Then on 22 January, 1309, a writ was directed to the justiciar's deputy, ordering the examination of the Exchequer archives to ascertain the emolument of the engrossers. (ibid., p.90), and the following 27 February, orders were made out to the Treasurer and barons of the Irish Exchequer to deliver the goods of Thomas, late Bishop of Emly, to his executors. (C.F.R., ii, 39) Then there is a mandate, dated 12 March, ordering Wogan's deputy to restore the temporalities to the newly-elected Bishop of Elphin. (C.P.R., 1307-13, p.106): incidentally, instructions were still being sent to Ireland on the same matter as late as

English Exchequer for audit,[1] for example, it appears that the Chancellor of the Dublin Exchequer received £7.10s. as his fee for the Hilary, Easter and Trinity terms for 2 Edw. II, plus a further 16s.8d. for the maintenance of a clerk for the same period, the money being delivered by a writ attested by the lieutenant. It appears from the English Pipe Roll for 19 Edw.II that William de Burgh was paid his fee of £500 by a similarly attested writ.[2] Then there are three grants of land, the grant of the barony of Old Ross and the Great Island to John of Boneville,[3] the commitment of two parts of the lands late of Richard Taloun, to John Taloun,[4] and the grant to John Wogan of the lands in Kilkea and Castledermot late of Christiana de Mariscis, together with the land in Burtown, Moone, Carbury, Allen and Cloncumber, late of John of Mohun.[5] There are also two judicial acts, one, a writ addressed to the justices in banco, ordering the postponement of the case of Guy Cockerel and Letitia, his wife, against

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1 (contd.)
7 December, 1310, when this election was declared void. (ibid., p.295) Finally, orders were sent to the Treasurer and barons, dated 11 June, to acquit Roger of Pembroke, late sheriff of Tipperary, of £12 which had been levied by his successor. (C.Cl.R., 1307-13, p.116)

1 Exch. K.R. Accts 235/20, m.5.

2 P.R. 171, m.30.

3 This appears from the king's pardon to him, dated 7 October, 1309, of £100 of the ferm due from it. (C.P.R., 1307-13, p.194)

4 Entered in the account of Walter of Islip, escheator of Ireland, for the two years ending 8 December, 6 Edw.II. (D.K. Ire. 39th Rep., p.40)

5 Confirmed on 28 June, 1309, from which confirmation it appears that the date of Gavaston's grant was 22 May. (C.P.R., 1307-13, p.122)

Walter del Ewe, prior of the Hospital of St John of Jerusalem in Ireland,[1] the other, the grant of English law to David Omolythyn, his son and daughter.[2]

By far the most important of those administrative acts of Gavaston's, of which we have knowledge, is his grant of the murage of Dublin to Geoffrey of Morton, which merits attention, not only because we know some of the attendant circumstances of the grant, but because it seems to have been the only one of Gavaston's acts which was later annulled by the king. At the time of its annullment, a transcript[3] was made of the letters relevant to the grant, which, together with an account of the appurtenant circumstances, was sent to the English chancery. But for the fortunate chance, therefore, that this particular grant was later cancelled, we should not know that it was ever made. The first transcript is of a letter from Edward to Walter of Thornbury, Chancellor of Ireland, informing him that, whereas he has heard that in certain points the murage which he has granted to Geoffrey of Morton under the great seal of England,[4] has proved very annoying to the people of Dublin, that commission is to be cancelled and another made out, under the great

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1 Cal. Rot. Pat. et Claus., p.8.

2 Confirmed on 8 December, 1318. (ibid., p.24)

3 Chan. Misc. 10/18, m.4.

4 Geoffrey had petitioned for the grant of the murage for ten years. (A.P. 240/11985) On 15 June, 1308, directions were made out to the Chancellor, ordering the making of letters under the Great Seal granting it to him for six years. (Ch.W. 60/207)

seal of Ireland,[1] which is to be revised in the following particulars: these particulars follow. Next there is a letter from Gavaston on the same subject, from which it appears that he had great difficulty in getting the Chancellor to make out a commission for Geoffrey according to the terms of the grant.[2] This letter is dated from Newcastle McKynegan on 6 May, 1309.[3] It directs that the required commission be made out to Geoffrey without delay, and the letters patent by which the murage had been granted, at the request, it is interesting to note, of this same Geoffrey, to the bailiffs and citizens of Dublin, duly cancelled.[4] On 17 May, Nigel le Brun, escheator of Ireland, in the chancery at Dublin in the presence of the Chancellor and others of the council, produced this letter from the lieutenant, together with the commission, under the great seal of England, of the aforesaid murage to the bailiffs and men of Dublin, and, speaking for, and authorised by the lieutenant, asked that the latter should be cancelled in favour of a commission to Geoffrey himself according to the tenor of the letters from the king and his lieutenant. The escheator further warned the assembly that no delays or excuses would be accepted. The same day much deliberation took place between William de Burgh and others of the council, and it was finally agreed that, although the mandates of

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1 There is, of course, no truth in the allegation which appears in Lanercost (p.212), that Gavaston took to Ireland many blank charters sealed with the great seal of England: he had no need to - the great seal of Ireland served the purpose equally well.

2 It is noteworthy that Gavaston here says that the grant was made at his request.

3 From the various letters and writs which still survive for Gavaston's lieutenancy, it is possible to compile a very inadequate itinerary for his stay in Ireland. On 11 December, 1308,

the king and the lieutenant with regard to the murage, did not accord with custom, it was not seemly for the king's ministers to resist him, but to obey him and his lieutenant in all things. Accordingly letters were granted to Geoffrey for seven years, according to the schedule, and on 29 May, in the presence of Gavaston at Dublin, the grant of the murage to the bailiffs and citizens of Dublin, was cancelled.[1] Apparently nothing further occurred during Gavaston's stay in Ireland, but there follows a transcript of a letter, dated 27 June, 1311, from Edward to the Chancellor of Ireland, expressing astonishment that Geoffrey's commission had not been made out and appointing a commission of Walter of Thornbury, Master Walter of Islip and Robert Bagot to hold an enquiry of oyer and terminer in connection with the trespasses committed against Geoffrey. Finally, on 20 October, 1312, the grant was cancelled.[2] The letters close ordering the revocation of the grant, prove beyond doubt that this was an occasion on which Gavaston made a mistake, perhaps unwittingly in the first instance by reason of his unfamiliarity with Dublin customs, but consciously persisted in, in the teeth of the opposition and righteous indignation of William de Burgh and the council. As a sidelight on Gavaston's

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3 (contd.) he was at Emly, on 12 April, 1309, at Dublin, on 6 May, at Newcastle McKynegan, on 29 May, at Dublin, and on 1 June, at Dublin again. Possibly he did not finish campaigning until May: on 23 April, his paymaster, John of Hothum, had an order made out for £100 with which to pay the soldiers engaged in the Leinster expedition. (Cal.Rot.Pat.et Claus., p. 103)

4 This grant is dated from England on 20 July, 1308. It appears, cancelled, attached to the above transcripts. (C.P.R., 1307-13, pp. 90-1)

1 It is interesting to note that throughout these proceedings,

character, the episode is illuminating.

It has been noted in passing that in respect of this grant, as also of that of the lands of Christiana de Mariscis and John of Mohun to the justiciar, and of the appointment of Walter of Thornbury as Chancellor, the initiative came from Gavaston. Another instance of this, is the grant by Edward on 25 October, 1308, of the manor of Chapelizod in Ireland to the prior of the Hospital of St John of Jerusalem in Ireland for fourteen years, at an annual rent of thirty-five marks.[1] There is no mention whatever of Gavaston in the original grant. On 19 August, 1310, however, Chapelizod was again bestowed as a grant, this time on Richard of Wodehouse, for good service.[2] In the mandate to Wogan, ordering the restoration of the manor to the prior of the Hospital of St John,[3] it appears that the initial grant was made by Gavaston and only confirmed by the king.

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1 (contd.)
the king is always mentioned in conjunction with Gavaston: the formula is per preceptum Regis et eius locum tenentis.

2 (contd.)
C.Cl.R., 1307-13, p.455. From this it appears that in reality Geoffrey rented the tower, for the repair of which he had obtained the murage, from the citizens of Dublin, on condition of repairing it himself. Further, despite the early setbacks he received, he must eventually have succeeded in collecting the murage, for he was ordered to refund to the citizens the money which he had wrongfully collected from them during the two years for which Edward I's grant of the murage to them, was still operative, and to account to the king for the remainder.

1 C.F.R., ii, 31.

2 C.P.R., 1307-13, p.276.

3 C.Cl.R., 1307-13, p.300.

There is only one instance of the mention of Gavaston's influence in a writ from England. This is the grant, on 4 March, 1309, of £746 to Nigel le Brun, escheator of Ireland, which is definitely stated to be at his instance.[1] We can nevertheless be sure that Gavaston would have kept in close touch with the English government and frequently have advised it on Irish matters.

From this evidence, much of which, incidentally, is retrospective, of the issue of mandates and grants from the English chancery through Gavaston's agency, it seems justifiable to assume that in his capacity as Regent in Ireland, Gavaston rarely acted independently of the English government, except in matters of minor importance. Either he made suggestions which the king was pleased to accept, or else he was careful to seek royal confirmation of his acts. In any case, he seems to have acted in an advisory position in relation to the king, rather than as his independent representative, free to do as he wished, and by this means tended to minimise his very real part in the administration, the impulse of which still appeared to come from England.

In the judicial sphere, of course, Gavaston's apparent deference to the king's opinion would not be so obvious. Unfortunately, only one example of Gavaston's having acted in a judicial capacity has survived. This is the case of Osbert le Tailleur,[2] who, by virtue of a writ directed to the lieutenant,[3]

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[1] C.P.R., 1307-13, p.106; P.R. 171, m.30.

[2] Gilbert, Hist. & Mun. Doc. Ire., 1172-1320, p.230.

[3] This is the sole surviving mention of a writ's being addressed

asked for the custody of Dublin gaol. Gavaston, however, was not to be misled by Osbert as he had been by Geoffrey of Morton.. He knew that the gaol in question was in the custody of the mayor and citizens of Dublin, so he summoned both sides to state their case before him at Dublin on 1 June, 1309. A jury was summoned, and the outcome was that nothing was done about the king's mandate ordering the delivery of the gaol to Osbert. This last point is interesting as showing that Gavaston was not always content merely to act, or appear to act as adviser on Irish affairs to the English government: he could on occasion reverse the rôles by questioning the legality of its orders and refusing to carry them out.

If this meagre evidence which has survived, is typical of Gavaston's work as an administrator, it seems that he showed considerable, though doubtless sometimes, as in the case of Geoffrey of Morton, misdirected energy in this sphere. But it was a military commander, not an administrator, of which Ireland stood in need. Could Gavaston have continued in Ireland as commander-in-chief of the king's forces, he might have more than justified his existence, but once that country was so far returned to normal to allow of the lieutenant's settling down to the work of administration, then it was time to recall him. For once, Edward's personal wishes and English policy were in harmony. Gavaston had been absolved from the sentence of

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3 (contd.)
to the lieutenant. All the writs and mandates which appear on the Patent and Close Rolls for this period are addressed to the justiciar or his deputy.

excommunication, should he return to England, by a bull dated 26 April, 1309.[1] He accordingly left Ireland on 23 June.[2]

d) Results of Gavaston's lieutenancy in Ireland.

Brief though it was, Gavaston's tenure of office as lieutenant was not merely an episode which closed on his return to England. True, his subjugation of the Wicklow clans did not last more than two years,[3] but the very fact that it endured so long in such conditions is a tribute to his military skill. Further, it was undoubtedly owing to his victories against the rebels and his re-establishment in general of English power in Ireland, that that country did not fall a victim to Edward Bruce in 1315,[4] as in all probability she would have done, had the anarchy which prevailed on Gavaston's arrival been allowed to continue unchecked.[5] As it was, Bruce's invasion administered a check to English interests in Ireland, from which they never recovered for the rest of the medieval period, but Gavaston cannot be held responsible for what was after all merely a repercussion of Edward's unsuccessful Scottish policy.

It is more difficult to assess the results of Gavaston's work as an administrator. Probably, if an opinion can

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1 Hist.Mss.Commrs Rep.,viii,app.,pt.i,352.

2 Ann.Ire.,p.294, Ann.Hib.,p.338; Book of Howth,p.127. According to Gesta Edwardi (ii,35), Gavaston returned unrecalled, but this is unlikely.

3 They broke out again in 1311. (Ann.Hib.,p.339)

4 Bruce landed in Ireland with 6,000 men on 26 May, 1315. For the whole account of the invasion, v. Orpen, op.cit.,pp.160-206.

5 As indicative of the condition of Ireland three years after Gavaston's departure, it may be noted that on 13 July, 1312, a

be based on the isolated, though important incident of the murage of Dublin, these results were none too favourable towards a government which was capable of sending so headstrong and obstinate a man as its representative. Edward's wisdom in recalling Gavaston when he did, has sometimes been questioned, for superficially his government seems to have been an unmitigated success. The Morton affair, however, was the cause of a minor crisis in Irish governmental circles. Fortunately it occurred towards the end of Gavaston's lieutenancy. A few more such contretemps, and Gavaston, by his high-handed attitude in administrative matters, might have nullified all the good which his military victories had done; a country which seethed with dormant rebellion had no place for palace revolutions.

Finally there has to be taken into consideration the effect which Gavaston's sojourn in Ireland had on his relations with the baronage of England, which seems to have been that of inclining them more favourably towards his return.[1] It is noticeable that few outcries against his return to England appear in the chronicles, yet both the Melsa annalist[2] and the canon of Bridlington[3] state that he was sent to Ireland contra procerum voluntatem.[4] The writer of the Vita Ed-

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3 (contd.) 'paper' university was set up at Dublin. (Cal.Pap. Let., 1305-42, p.102) Bruce's invasion, of course, killed this new seat of learning in its infancy.

1 Baker (p.4) is alone in stating that Gavaston's lieutenancy was contra ruinam suam.

2 Chron.Melsa, ii, 326.

3 Gesta Edw., ii, 35. The exact words used here are contra eorum beneplacitum.

wardi gives what seems to be the best explanation for the magnates' change of front.[1] According to him, the earls had hoped that Gavaston in exile would not be able to harass the country with his expenses, in which he almost surpassed the king himself, and when they found that he now had all the revenues of Ireland at his disposal, which rightly belonged to England, they thought the remedy worse than the disease: hence the king found it comparatively easy to gain their consent to Gavaston's return. This explanation may be wrong in detail,[2] but the underlying idea that the magnates were jealous of Gavaston's honourable position in exile, is probably not far from the truth.[3] On the whole it seems that Gavaston's return was tacitly acquiesced in by the majority of the English baronage.

That Gavaston was not insensible to loyalty in his helpers and servants is shown by the way in which he continued to reward those who had served him faithfully in Ireland, long after his return to England.[4] On 28 June, for example, Wogan

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4 (contd.)
Knighton (ii,408) is the only chronicler to state that Gavaston was sent to Ireland by the earls, against the will of the king.

1 ii, 159-60.

2 There is no evidence that Gavaston 'harassed' England with his expenses, nor did the revenues of Ireland rightly belong to England.

3 Trokelowe wrongly alleges that Edward contrived his favourite's recall by arranging for his marriage to the sister of the earl of Gloucester, against the earl's wish. (p.67)

4 The exercise of Gavaston's influence on behalf of those who served him in Ireland, is treated separately from its use in favour of his English friends and Gascon relatives, because there seems no question that these Irish rewards were for services rendered. Moreover, it was probably not of these that

was confirmed in the grant of those lands which Gavaston had made to him on 22 May.[1] Again, on 10 September, the king, at Gavaston's instance, granted to John le Blund, the custody of the manors of Castle Warden and Oughterard at the rent of their annual value.[2] Finally, on 29 January, 1310, Nicholas of Balscott was appointed chancellor of the Dublin Exchequer, at Gavaston's request.[3] Nor was Gavaston's paymaster left unrewarded. On 10 December, 1309, John of Hothum was appointed escheator north of Trent,[4] on 16 December, 1310, the wardship of the manor of Cottingham was committed to him until the heir came of full age,[5] and on 6 February, 1312, he was granted the castle and town of Leixlip and the property of Ikeathy in Ireland.[6] In none of these last grants and promotions does the influence of Gavaston appear, but it is not improbable that he should have brought the deserts of his protégé to Edward's notice.

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4 (contd.)
the English barons were thinking when they accused Gavaston of abusing his influence with the king, for they would hardly have been aware of them. (For the employment of Gavaston's influence in England, v. supra, pp. 141-86, passim.)

1 C.P.R., 1307-13, p. 122.

2 C.F.R., ii, 49; cf. C.Cl.R., 1307-13, p. 173, where, on 14 September, 1309, John is pardoned the rent of these manors for the past year, as he is about to set out for Scotland in Gavaston's company in the king's service. For his services in the Scottish campaign of 1310-11, John was pardoned £33.12s.1d. from the farm of Castle Warden for 6 Edw.II. (D.K. Ire.39th Rep., p. 38.)

3 C.P.R., 1307-13, p. 206.

4 C.F.R., ii, 52.

5 Ibid., p. 76.

6 Ibid., p. 125.

Chapter V.

Gavaston's Return from Ireland: the Appointment of the Ordainers (July, 1309 - March, 1310).

a) Edward's Policy during Gavaston's Absence.

After Gavaston's departure for Ireland, Edward directed all his energies to procuring his recall. To accomplish this, he had to obtain, not only Gavaston's absolution from excommunication, but also baronial acquiescence, if not approval. On the very day on which he appointed his favourite lieutenant in Ireland, Edward wrote from Windsor to Philip IV of France and the Pope,[1] stating that the earldom of Cornwall had been bestowed on Gavaston without his knowledge and in his absence,[2] and that the grant had been made with the counsel and consent of the magnates, who had now repented of their action and turned against Gavaston and the king. The letters concluded with a request that Philip and Clement would send representatives to England to confer with one another concerning the best means to tranquilise the country. On the same day he wrote to the Pope, stating that Gavaston had been unjustly excommunicated by Archbishop Winchelsea, and begging him to annul the sentence.[3] The cardinals were similarly importuned, and Otto of Grandison and Amanieu d'Albret were ordered to expedite matters as much as possible.[4] The enrolment of these letters is followed by a memorandum that

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1 Fœdera, II, i, 49-50.

2 This is possible, but not very likely. Gavaston was certainly in ~~England, if not actually in~~ Scotland, at the time the grant was made. (v. supra, pp.89-90)

3 Foedera, II, i, 50.

4 Ibid., p.50.

they were read to the king and despatched by his orders on 16 June, in the presence of John of Brittany, earl of Richmond, Henry of Percy, Hugh le Despenser, William Melton and Adam of Osgodby.[1] By these means, the chancery clerks endeavoured to dissociate themselves as far as possible from the king's machinations for Gavaston's recall.

Philip's reply to Edward's letter does not seem to have survived, but the Pope's answer was to advise him very strongly to endeavour to placate the magnates by mending his ways.[2] Both Clement and Philip, however, sent representatives to England. These ambassadors, Louis of Evreux, Philip's brother, and the Bishop of Soissons,[3] representing the king of France, and Arnold, Bishop of Poitiers and Bertrand Calhau,[4] the Pope, arrived some time in the late summer or early autumn of 1308. Of these four, Bertrand Calhau, Gavaston's nephew, would have been the one most concerned to obtain papal absolution for his uncle. Accordingly, having assisted Bishop Arnold in the payment to the papal curia of the money which the papal agents had collected in England,[5] he set out for Ireland 'on the king's business' the following December,[6] this 'business' probably consisting of interviewing Gavaston and finding out what terms he would be prepared to accept in order to be absolved.

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1 Ibid., loc.cit.

2 Dated 11 August, 1308. (ibid., p.54) There is no mention here of Gavaston.

3 Ibid., p.63.

4 Ibid., p.57.

5 Cal.Pap.Let., ii, 77.

6 Exch. K.R. Accts 373/24, m.2.

Edward, however, could be more or less sure of obtaining the assent of both Clement and Philip to Gavaston's return. If they withheld it, he could retaliate by refusing to countenance the suppression of the order of the Temple in England. True, he had ordered the arrest of all Templars in England, Scotland and Ireland by a mandate of 8 January, 1308, but since "there was no spontaneous movement against the society as in France; there was not even the fierce malice and insatiable greed which could find their only satisfaction in the ruin of the brethren; and there is not much evidence that the Templars were unpopular,"[1] it is difficult to see why Edward should have persisted in a course which must have been as distasteful to him as it was to the English Bishops, prompted, as it was, by France. Hence the ease with which Edward obtained the consent of the Pope and the king of France to Gavaston's recall, makes it tempting to think that this consent was purchased at the price of the sacrifice of a religious order.[2] Clement's absolution could have been bought by other means, by the bestowal of castles on his nephew,[3] for example, but Philip's rancour against Gavaston was such[4] that he would hardly have allowed him to return from exile, unless Edward had something to offer in return.[5]

The consent of the baronage to Gavaston's recall was

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1 Tout, Political History of England, iii, 254.

2 This suggestion is put forward by Stubbs. (Const.Hist., ii, 339)

3 The grant of the castle of Blanquefort to Bertrand de Got, Clement's nephew, on 16 June, seems more than a coincidence. (Fœdera, II, i, 51) Part of the work of Clement's ambassadors was to remedy a defect by which this charter was made void. (ibid., p.57)

far more difficult to procure. The Lanercost Chronicle records the contemporary rumour that Edward was willing to ally himself with Robert Bruce against the English earls and barons,[1] but there is no record evidence to support this story. Bruce certainly invaded England about this time and did much damage,[2] and a truce was made with him on 27 November,[3] If we can believe the St Paul's annalist, this truce caused great astonishment and amazement, for the army under the earls of Gloucester and Hereford, which the king's council had sent against Bruce, had not yet reached him.[4] The same account further represents Bruce as saying that he feared the bones of the dead king more than the living one, and that there was more glory in gaining half a foot of land from Edward 1 when he was alive, than a whole kingdom from his son.[5] In the letters patent appointing Robert of Umfraville, earl of Angus, John of Cromwell, John Wogan and John

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4 (contd.)
As late as April, 1309, Philip was still not amenable to Edward's proposal. (ibid., p.71)

5 (contd.)
For the charges and proceedings against the Templars, v. Ann.Lond., i, 174, 179-98; Ann.Paul., i, 265; Gesta Edw., ii, 28-32, 59-60; Hemingburgh, ii, 278 seq.

1 P.212.

2 Ann.Paul., i, 265; Hemingburgh, ii, 274-5.

3 Ann.Paul., i, 265; Fœdera, II, i, 63.

4 Ann.Paul., i, 265.

5 Ibid., loc.cit.

of Benstead, to treat with the Scots, it is definitely stated, however, that Edward embarked on these negotiations at the request of Louis of Evreux and the Bishop of Soissons, who acted as the mouthpiece of Philip lV.[1] Hence, whatever contemporary opinion may have been, the onus of concluding the truce with the Scots cannot be laid entirely to Edward's account.

In any case, Bruce would have proved a doubtful ally against the English barons. A much safer method of defeating the opposition, was to divide it. Edward accomplished this by deferring to the magnates on the one hand and bestowing gifts or making promises, on the other. Those of the nobility who would not yield to the subtle flattery of the one, could be won over by the material considerations of the other. Edward began his blandishments very soon after his friend's departure. By agreeing with the barons in the parliament of Northampton, which met on 4 August, to remove his bad counsellors, Hugh le Despenser, Nicholas of Segrave, William of Bereford, William Inge and two others, and to confirm what they should ordain in the next parliament,[2] the king tacitly promised to be guided in future by the magnates. The promise of reformation which Edward showed in August was confirmed about Michaelmas, according to the Lanercost Chronicle,[3] by his agreeing to be advised in everything by the earl of Lincoln. This pretended amendment on the king's part seems to have won him some adherents by Michaelmas. The barons may have scorned to attend the tournament at Kennington which Edward

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1 Fœdera, ll, i, 63.

2 Ann. Paul., i, 264; cf. Gesta Edw., ii, 34.

3 P. 212.

had arranged for them, under the direction of Giles d'Argentein,[1] but fear of treachery, no less than of the consequences, prevented the magnates who attended Gilbert of Gloucester's wedding, from holding a conference to discuss matters.[2]

Having gained some supporters among the magnates by his deference to their judgment, Edward strove to break the combination of the others by gifts and promises.[3] According to the Vita Edwardi,[4] the earl of Warwick steadfastly refused to submit to the king's cajolements, on the grounds that he could not recede from his obligation with a clean conscience. Possibly Warwick did resist at first, but the bribe of four of the Templars' manors proved too strong for him, and he capitulated like the rest.[5] Only Lancaster seems to have remained aloof from the general reconciliation between Edward and his barons.[6]

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1 Ann.Paul.,i,264. The tournament must have been unpopular, for one night all the columns and tents were thrown down by an unknown horseman. It was not that there was no desire to tourney. This period is, on the contrary, notable for the number of prohibitions against tournaments which were issued. A general prohibition was issued on 4 October, 1308, and individual tournaments were prohibited at Leicester on 13 October, at Stamford on 2 February and at Newmarket on 18 April: further prohibitions were made out on 12 May and 13 June. (Fœdera, II, i, 59, 60, 66, 71, 72, 76.)

2 Ann.Paul.,i,264; Vita Edw.,ii,160. The Gloucester wedding was a double affair. On Michaelmas day, earl Gilbert married the daughter of the earl of Ulster. The following day, Ulster's son married Gilbert's sister. The marriages took place at Waltham.

3 Lanercost, p.212; Vita Edw.,ii,160.

4 ii,160.

5 He was granted the manors of Walsall, Warwick, Sherborne and Frechampstead, all in Warwickshire. (K.R. Mem. Roll 82, m.6.)

6 V. supra, p.117 and note 3.

To confirm the good impression he had created, Edward, at the request of the Bishop of Poitiers, the papal delegate, agreed, at the Parliament which met at Westminster on 20 October, to release Bishop Walter Langton.[1] By Easter, 1309, Edward was on such good terms with his magnates that he could successfully ask them for an aid at the Parliament of Westminster. He was granted a twenty-fifth from the laity on condition that he took counsel upon certain articles which the barons put forward for the profit of king and kingdom, and offered suitable remedies in the next Parliament.[2] By this time, Edward must have obtained the assent of the magnates to Gavaston's recall, for during Lent the Bishops of Worcester and Norwich, with the earl of Pembroke and Sir Robert FitzPayn, had left for Rome on important business connected with England,[3] this 'important business' probably being the presentation to the Pope of a petition on Gavaston's behalf. The understanding between Edward and the barons was cemented by a tournament at Stepney on 28 May, at which the earls were present in the usual way.[4]

Edward's pretended reformation and judicious bribery, coupled with the magnates' jealousy of Gavaston's exalted position in Ireland,[5] soon resulted in a preponderance of opinion in favour of Gavaston's return. Apparently Philip IV was the last

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1 Ann.Paul.,i,264-5. Those attending this Parliament were forbidden to come armed. (Fœdera,II,i,59)

2 Ann.Lond.,i,157; Ann.Paul.,i,267; Rot.Parl.,i,443-5. This Parliament met on 13 April. Hemingburgh (ii,275) states that the magnates who attended refused Edward's plea for Gavaston's restoration.

3 Ann.Paul.,i,267.

4 Ibid.

5 Vita Edw.,ii,160.

to give his consent. As late as 13 April, Edward was writing to the cardinal deacon of St Mary Nova, thanking him for his past efforts to mollify Philip's implacability, and begging him to continue his intercession as seemed best to him.[1] Philip must have been won over shortly after the despatch of this letter, however, for the Pope's bull of absolution is dated 25 April.[2] From this bull it appears, that, whereas the Pope had refused to revoke the excommunication when Gavaston, backed by Edward's letters of supplication, had appealed against it, referring the matter instead to Hugh Gerald, cantor of the church of Périgord, he now deigned to revoke the sentence, for Edward had assured him that the earls and barons who had formerly condemned Gavaston to exile, were convinced of their error and in favour of his return, whilst Gavaston himself, through his proctor, Bertrand Calhau, had declared the excommunication null, inasmuch as he had been legitimately recalled.[3]

It is not certain when the papal bull arrived in England. The St Paul's annalist states that the Bishop of Norwich, one of the king's envoys to the Pope, arrived in London from the papal curia on 24 June, bringing the bull with him,[4] but it appears from a letter from Winchelsea to Simon of Ghent, that it had arrived in London by 11 June, if not actually by 9 June.[5] Gavaston, however, could not safely appear in England

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1 Foedera, II, i, 71; Dodge, p.90. Clement had written to Philip on Gavaston's behalf on 5 October. (Baluze, op.cit., iii, 88) In this letter Gavaston is referred to as dilecti filii nobilis viri Petri de Gavastone.

2 Registrum Simonis de Gandavo, i, 313-17; Registrum Richardi de Swinfield, pp.451-2. It seems that Gavaston was irregularly excommunicated, for he was non monitum, non citatum, non confessum nec super aliqua fraude convictum.

until his absolution had been accepted as valid. Winchelsea apparently had qualms about the papal rescript. Accordingly he requested certain, if not all of the Bishops to take counsel on the matter, and to let him know their opinion within ten days.[1] In reply, Henry Woodlock, Bishop of Winchester, informed the Archbishop that, having taken counsel on the matter, he personally believed the bull to be canonical and valid, but advised him, if he thought fit, to call together the bishops and magnates for joint counsel, in order to quieten their scruples and secure unanimity among them.[2] Apparently no such meeting was held, but the primate's reluctance to publish the bull accounts for Gavaston's delay in returning to England, although he must have known he was absolved.

b) The Appointment of the Ordainers.

Gavaston returned to England on 9 July, 1309[3] and the king went to meet him at Chester.[4] His reinstation as earl of Cornwall followed as a matter of course at the Parliament which assembled at Stamford on 29 July.[5] He accordingly quit-claimed

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3 (contd.) Capes (Registrum Ricardi de Swinfield, p.xix) characterises this letter as "quite in keeping with his" (Clement's) "mean subservience to the French monarch when the ruin of the Templars was determined."

4 i, 267.

5 Registrum Simonis de Gandavo, i, 313.

1 Ibid., p.314; Registrum Henrici Woodlock, ii, 370.

2 Ibid., pp.370-1. Woodlock's letter is dated 22 June. Simon of Ghent, Bishop of Salisbury, in a letter of 28 June, begged to be excused from giving an opinion on the subject. (Registrum, pp.316-7)

3 Ann.Lond., i, 157.

4 Vita Edw., ii, 161; Chron. Melsa, ii, 327; Knighton, i, 408.

to the Crown his Albemarle lands and his Gascon possessions in exchange for the county of Cornwall and its appurtenant lands.[1] The important business of the Parliament of Stamford, however, concerned Edward's reply to the eleven articles which had been presented to him at the Parliament of Westminster the previous Easter.[2] These articles, which were embodied in the Statute of Stamford,[3] were designed to prevent the abuse of purveyance,[4] the usurped jurisdiction of the royal stewards, delays in justice, the illegal jurisdiction of the constables of the royal castles and fluctuations in the value of the coinage. With the exception of aunciens prises et custoumes auncyenement dues et approvees, the collection of the customs was to be entirely suspended. Further, no writs which touched the common law, were in future to be issued under the petty seal. In accordance with this statute, Edward, by letters dated 20 August, ordered the sheriffs firstly to cause the statute of 28 Edward 1, the articuli super cartas, to be observed, by enforcing payment for purveyance and punishing undue purveyance, and secondly to remit the royal custom of 2s. from every tun of wine and 3d. from every pound avoirdupois, in order that the king might know what profit

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5 (contd.)
Ann.Lond.,i,157; Ann.Paul.,i,267-8; Gesta Edw.,ii,35; Hemingburgh,ii,275.

1 V. supra,pp.116-9.

2 V. supra,p.271.

3 Rot.Parl.,i,443-5; Dodge,pp.91-2.

4 The question of prises had been to the fore some time now. On 11 June,1309, writs had been made out to the sheriffs, ordering the observance of the provisions contained in the first Statute of Westminster of 3 Edw.1, for the prevention of undue prises from ecclesiastical persons and others. (Statutes of the Realm,i,153-4)

and advantage would accrue to him and his people by his ceasing to collect these customs.[1]

Gavaston's position after his return from Ireland was more secure than before, for the majority of the earls had given their consent to his recall, and he could even number some of them among his friends. Gloucester was still faithful to his brother-in-law.[2] Richmond, too, seems always to have been on friendly terms with the favourite.[3] Lincoln, who, a year previously, had been foremost in procuring Gavaston's exile, now assumed the rôle of amicable mediator and won over Warenne, who, from the time of his discomfiture at the Wallingford tournament, hilarem vultum Petro nunquam exhibuit, to be Gavaston's faithful friend and helper.[4] Pembroke was by inclination a moderate, and had probably been one of the first to be converted by Edward's pretended reformation. Hereford was another deserter from the opposition. Even Warwick was induced to witness the charter by which Gavaston was re-endowed with the Cornwall lands.[5]

Nevertheless, there still persisted a certain amount of opposition to Gavaston's recall and reinstation. Among the earls, Lancaster refrained from witnessing Gavaston's charter of 5 August, whilst among the barons, it was only division in their ranks and lack of combination that prevented the open

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1 Ibid., i, 156.

2 Hemingburgh (ii, 275) especially notes the mediation of Gilbert of Gloucester in connection with Gavaston's reinstation.

3 V. I.Lyubimenko, op.cit., passim.

4 Vita Edw., ii, 161.

5 V. supra, p. 117 and note 3.

expression of their disapproval.[1] The canon of Bridlington states that those who were absent from the Parliament of Stamford suffered Gavaston's restoration with very ill grace and became further incensed against him,[2] whilst the St Paul's annalist's statement that some of the barons agreed to Gavaston's recall, implies that others withheld their consent.[3] In any case, Gavaston's position was based on baronial sufferance. Those who had agreed to his return had doubtless done so in the hope that he had learnt his lesson and would mend his ways in future.[4] The situation is aptly summed up by the Melsa annalist, who forebodied no good from so mutabilis an acquiescence in Gavaston's return.[5]

To some extent it seems that Gavaston had profited by his exile. Certainly his relations with the other earls took a new turn after his return. Previous to his exile, he seems never to have acted in conjunction with any of the earls.[6] After his return, he was associated more than once with the other magnates in connection with the foremost questions of the day. The most pressing matters which beset Edward after Gavaston's return from Ireland, were ecclesiastical and financial, and Gavaston played his part in both. The very day after his reinstation as earl of Cornwall, he collaborated with the earls of Gloucester, Lancaster, Lincoln and Ulster and other magnates

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1 Vita Edw., ii, 161. 2 ii, 35. 3 i, 157.

4 Ann. Lond., i, 157; Gesta Edw., ii, 35. The Melsa chronicler (ii, 327) says that Gavaston was recalled sub spe uberioris gratiae consequendae, Knighton (i, 408) giving pacis instead of gratiae.

5 Chron. Melsa, ii, 327.

6 V. supra, p. 144.

in presenting a written protest to the Pope in respect of papal provisions and ecclesiastical dues and exactions. This protest concluded with the request that the Pope would deign to remedy these abuses by allowing those who had given property to the church, or their heirs, to resume it, if it were being used contrary to the donor's intention.[1] It was probably in this connection that two messengers were sent to Rome the following November, Edward appointing Gavaston to arrange with Lincoln and other members of the council about their letters of credence.[2] On the financial side, Gavaston associated himself with Lincoln and Gloucester in petitioning the king on 10 December to suspend the collection of the twenty-fifth[3] from 21 December, 1309 to 16 February, 1310.[4]

The fact that Gavaston acted in collaboration with his fellow earls on no less than six occasions during the year after his return from exile,[5] proves that he was not ostracised by them. Nevertheless, the chroniclers agree in stating that after his return from Ireland, his conduct was more insufferable than ever.[6] He still made the English nobility the butt of his Gascon wit by affixing turpia cognomina to the magnates,[7] and he was still commonly supposed to be consuming the public rev-

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1 Ann.Lond., i, 161.

2 Conway Davies, op.cit., pp. 100-1.

3 Granted to him by the Parliament of Westminster of Easter, 1309. (v. supra, p. 271)

4 Parl. Writs, II, ii, 41; C.Cl.R., 1307-13, p. 189.

5 For the other occasions, v. supra, pp. 144-5.

6 Ann.Lond., i, 157; Vita Edw., ii, 161.

7 Ibid.

enues.[1] On 4 September, too, Edward wrote to the Pope begging him to absolve Gavaston and his proctor, Bertrand Calhau, from the oath by which Gavaston had undertaken not only to obey the mandates of the church, but also to stand on oath against those who wished to bring against him the charges for which he had been excommunicated.[2] This seems to indicate that there is some truth in the chroniclers' assertion that Gavaston was still the object of baronial hatred.[3]

No doubt Gavaston persevered with his efforts to camouflage his influence over the king. In fact, his activity as a petitioner and adviser became even less obvious than before.[4] Nevertheless, Adam Murimuth could still refer to him as _secretus regi et rector ipsius ut prius_.[5] Gavaston's presence certainly seems to have been a source of embarrassment to the king. According to Hemingburgh, for example, Edward held a secret Parliament at York on 18 October, 1309, but had to adjourn it because of the absence of the earls of Lancaster, Lincoln, Warwick, Oxford and Arundel, who refused to attend because of Gavaston.[6] Whilst the king was still at York, writs, dated 26 October, were accordingly sent to all the prelates, earls and barons, summoning them to another Parliament to be held there on 8 February, to discuss the repeated acts of treachery and rebellion committed

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1 Knighton, i, 408.

2 _Fœdera_, II, i, 88; _cf._ _Registrum Simonis de Gandavo_, i, 315-17; _Registrum Ricardi de Swinfield_, pp. 451-2.

3 Baker, p. 4; Murimuth, p. 14.

4 For details, _v._ _supra_, p. 181 and notes 1 and 2. It has already been noted (_v._ _supra_, p. 264) that, though the appointment of John of Hothum as escheator north of Trent, may have been at Gavaston's suggestion, nothing to this effect appears in the

by Robert Bruce, and to determine what to do about his many breaches of the truce.[1] Later, on 12 December, the place of the Parliament was altered from York to Westminster.[2] Throughout this time and until the appointment of the Ordainers, the country was in a very unsettled condition. By letters of 18 December, the sheriffs were ordered to arrest the inventors and the spreaders of false rumours,[3] whilst the following 19 January and 3 March, tournaments were forbidden at Thetford and Newmarket, Bungey and Sudbury.[4]

Edward had intended to launch an attack against the Scots in the autumn of 1309,[5] but domestic troubles had to be coped with first, and the expedition had to be postponed. The unrest in the kingdom reached its climax in February, 1310, when the barons met at London in accordance with the royal edict of 26 October, but refused to come to Parliament.[6] On being asked the reason for their attitude, they sent messengers to the king to inform him that, though they were bound to assemble at his command, they did not consider themselves safe whilst their chief enemy and the cause of all the disturbance in the kingdom was protected by him and enjoyed his comfidence.[7] Further,

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4 (contd.) writ.

5 P.14.

6 Chronicon, ii, 275.

1 Parl.Writs, ll, ii, 40. Hemingburgh wrongly gives the date of this Parliament as 3 February. (ii, 275)

2 Parl.Writs, ll, ii, 41. Gavaston was summoned on each occasion.

3 Fœdera, ll, i, 101.

4 Ibid., ll, i, 102, 104.

5 Gavaston was summoned to give military service in person

they voiced their determination to attend Parliament fully armed, if the king insisted on their attendance, unless he dismissed Gavaston.[1] Finally Edward was obliged to send Gavaston away to a safe place for a time,[2] in order to transact any business at all. At length Parliament assembled at London on 27 February. When the king had explained his reasons for summoning them, the barons deliberated among themselves on the state of the kingdom. The result of these deliberations was the presentation to the king of certain articles,[3] charging him with being led by evil counsel and consequently so impoverished as to be unable to live except by extortion, with having lost Scotland and dismembered the crown in England and Ireland, and with having squandered the grants of the twentieth, which had been made to him for the Scottish war, and of the twenty-fifth, which had been granted in return for freedom from prises and other exactions, that had, nevertheless, still been levied.[4] According to the barons' representations, the liberties of the church were in jeopardy, the crown being dishonoured and all classes of the

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5 (contd.)
against the Scots and ordered to be at Newcastle on 29 September, 1309, by a writ dated 30 July, 1309. On 8 October, a prohibition was made out, forbidding anybody to leave the country during the Scottish war. (Fœdera, II, i, 78-9, 95; Parl. Writs, II, ii, 381). Both the king and Gavaston seem to have been in earnest about the campaign. Gavaston may even have gone to Newcastle; on 14 November, provisions to the value of £30.10s. from his store there were handed over to the keeper of the king's store at Berwick. (Exch. K.R. Accts 374/5, f.47v.) Cf. also supra, p.264, note 2.

6 Vita Edw., ii, 162. Ann. Paul. (i, 268) records that Lancaster, Hereford and the other magnates came to London with a great following, and were entertained outside the city.

7 Gavaston was probably in the king's company all this time. He was certainly at York with him in October and November. (Cal. Doc. Scot., iii, 20), and they spent Christmas together at Langley. (Vita Edw., ii, 162)

realm suffering great loss as the result of Edward's misrule. The barons therefore concluded with the petition that the king redress their grievances by ordinances of the baronage. These articles were drawn up by 12 April, and probably presented shortly afterwards.

Apparently Edward did not give in to the magnates

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1 (contd.)
Coming to Parliament in arms had been forbidden on 7 February, the earls of Lancaster, Hereford, Pembroke and Warwick being specially singled out for admonition. (Rot.Parl., i, 445; Fœdera, II, i, 103; cf. Hemingburgh, ii, 275-7.)

2 Gavaston probably remained in the north when the king came south for the Parliament. At Easter, a cursor was sent to York and Northumberland with letters for him and other magnates. (I.R. 152, m.4)

3 Ann.Lond., i, 168; Gesta Edw., ii, 36; Vita Edw., ii, 162-3; Liber Custumarum, pp. 198-9.

4 The Gesta Edwardi (ii, 36) states that the barons complained especially of certain of the king's household officials, both English and foreign, who plundered the countryside for food and other necessities without paying anything. This is corroborated by an anonymous letter to Walter of Bedewynde, informing him that during his stay in York, the king did much damage, requisitioning corn and animals from all the property around, except that in Newthorpe belonging to Walter. (Cal.Doc.Scot., iii, 20; Chan. Misc.22/10 (6))

without a struggle.[1] It was not until 16 March that he gave his assent to letters patent decreeing the election of certain Ordainers to regulate the realm and the royal household, so that their Ordinances should be made al honur de Dieu, et al honur e au profit de seinte eglise, et al honur de nous et a nostre profit, et au profit de nostre poeple, solonc droit et reson, et le serment qe nous feismes a nostre coronnement.[2] These Ordainers were to hold office from 16 March, 1310 to 29 September, 1311. Should any of them, through death or for any other legitimate reason, be unable to proceed with the work of drawing up Ordinances, the other Ordainers were to fill such vacancies by election. The Ordainers were to pledge themselves by mutual oaths to make Ordinances, and to observe and enforce the observance of them after they were made. In their work of ordaining, they were to be unmolested by the king and his council.[3] The following day, the prelates, earls and barons who had petitioned the king sealed a letter rehearsing the king's consent to the election of the Ordainers, and undertaking that this concession would not be made into a precedent, nor used to the prejudice of the king and his heirs.[4]

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1 Several of the chroniclers state that Edward tried hard to parry the baronial demands. Robert of Reading (Flores Hist., iii, 146) alleges that the king tried to divert the barons from their enterprise by simulating surrender, and would have done nothing further about their petition if they had not demanded an immediate answer. The author of the Vita Edwardi (ii, 163) goes even further: according to his account, the barons actually threatened to withdraw their allegiance if Edward refused to accede to their demands, for they urged that he was not observing his coronation oath. (cf. Wilkinson, op.cit., p.413) Further corroboration is to be found in John of Trokelowe's chronicle (p.66), which also relates that Edward withstood the baronial demands at first, though the date of the struggle is wrongly given as 1308.

The election of the Ordainers did not take place until 20 March.[1] The day previous to their appointment, however, certain interim Ordinances were issued, presumably on the authority of those who had guaranteed that the king's concessions should not be used to his prejudice.[3] This list of guarantors contained thirty-two names. Firstly came that of Winchelsea, Archbishop of Canterbury, followed by those of the Bishops of London, Lincoln, Salisbury, Winchester, Norwich, Bath and Wells, Chichester, Worcester, Exeter and St David's. The names of nearly all the earls were included, the exceptions being Warenne and Oxford. Finally came the names of Henry of Lancaster, Henry of Percy, Hugh of Veer, Robert of Clifford, Robert FitzPayn, William Marshall, John Lovel, Ralph FitzWilliam, Payn Tybotot, John Botetourte, Bartholomew of Badlesmere, John of Grey and John of Cromwell, who represented the baronage.[2]

These interim Ordinances were six in number, not one of which was directed against Gavaston. It is clear from these first Ordinances that the chief anxiety of those who framed them was purely financial, the only two enactments which offered specific remedies for abuses being directed against foreign

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2 (contd.)
V. Wilkinson, op.cit., p.413.

3 Rot.Parl., i, 281, 445; Fœdera, II, i, 105; Ann.Lond., i, 169-70; Gesta Edw., ii, 36; Trokelowe, p.66; Hemingburgh, ii, 277.

4 Rot.Parl., i, 443; Statutes of the Realm, i, 167; C.Cl.R., 1307-13, p.253; Ann.Lond., i, 170; Gesta Edw., ii, 37. The fact that Edward granted the Ordainers their commission of his own free will is also noted by the Melsa annalist (ii, 280) and by Robert of Reading. (Flores Hist., iii, 333)

1 Parl.Writs, II, ii, 43.

2 Ann.Lond., i, 170.

merchants,[1] one decreeing that all customs should be paid direct to the Exchequer or Treasury, and the other, that all foreign merchants who had hitherto been receiving the customs, should be arrested and detained in custody until they rendered an account of the revenues they had received.[2] Apparently these Ordinances were not immediately put into force, for mandates ordering their observance were not addressed to the sheriffs until 2 August.[3]

Having determined on these preliminary Ordinances, the assembled prelates, earls and barons proceeded to the election of the Ordainers. First the Archbishop and the Bishops present elected two earls, Lincoln and Pembroke. Then the earls elected two Bishops, those of London and Norwich. These four then elected two barons, Hugh of Veer and William Marshall. The six thus elected by this preliminary cross election then proceeded to elect fifteen other Ordainers, these consisting of five Bishops, six earls and four barons. The prelates elected were the Archbishop of Canterbury and the Bishops of Chichester, Norwich, St David's and Llandaff. The remaining earls were those of Gloucester, Lancaster, Hereford, Richmond, Warwick and Arundel. Finally, Robert FitzRoger, Hugh of Courtney, William Martin and John of Grey were chosen to represent the barons.[4] After election, the Ordainers swore to make such Ordinances as should be to the honour and profit of Holy Church,

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[1] Of the other four Ordinances, one decreed the inviolability of the liberties of the Church, and another, the observance of the Charter. The remaining two were concerned with administrative regulations for the Ordainers themselves. They stipulated that the Ordainers should make London their headquarters, where they should be allowed to work without let or hindrance, and that no gift should be made to any one of them or to any other person without their counsel and consent.

[2] Ann.Lond., i, 172-3.

[3] Rot.Parl., i, 446-7; Fœdera,

and to the honour and advantage of both king and people according to right and reason and the oath the king had sworn at his coronation.[1]

It is noticeable that the make-up of the Ordainers was not conspicuously hostile to Gavaston. Of the prelates, Winchelsea was certainly no friend of his,[2] but he seems to have been on good terms with the Bishops of London and Winchester[3] and there is no evidence that the others had any quarrel with him. In any case, they would be preoccupied with ecclesiastical matters. On 2 February, Arnold, Bishop of Poitiers, had arrived in England as the Pope's representative,[4] bringing with him twenty articles of objection made by the Pope against the king.[5] These complaints and the search for suitable remedies, would doubtless have distracted the minds of the clerical section of the Ordainers from more secular matters.

The earls seem to have been divided into two parties, equally matched, if the safe-conduct granted by the king on 24 May, 1310, to Lancaster, Pembroke, Hereford and Warwick, who were coming to parley with him, can be taken as typical:[6] their safe-

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3 (contd.)
ll,i,113.

4 Parl.Writs,ll,i,43; Ann.Lond.,i,172; Gesta Edw.,ii,37; Mun.Gildh. Lond.,ll,i,202; Conway Davies,op.cit.,p.361.

1 Parl.Writs,ll,i,43, app.,p.27; Conway Davies, op.cit.,p.361.

2 Murimuth (p.14) states that Winchelsea in particular bore Gavaston's return very badly and refused to discuss any business in Parliament. The reason he gives for the Archbishop's attitude, is that the king still kept the Bishop of Coventry and Lichfield in prison. This, of course, is wrong, for the Bishop had been liberated some time before Gavaston's recall. (v.supra, p.271)

ty was guaranteed by Gloucester, Lincoln, Richmond and Arundel, who must, therefore, have inclined more to the king's side. If anything, the king's supporters among the earls were more numerous than the opposition, for Oxford and Warenne, who seem to have stood completely aloof from their fellows at this period, probably deliberately chose to remain neutral rather than associate themselves with the policy of the Ordainers. Pembroke, too, was a man of moderate views, and not to be classed with the irreconcilables. Lancaster and Warwick, however, were inveterate and implacable enemies of Gavaston and determined on his dismissal from the king's society. It was from Lancaster in particular that the opposition to Edward and Gavaston drew its strength. He was the mainspring of the movement which resulted in the Ordinances. When they were published, he placed a tablet of commemoration in St Paul's, and, when they were not observed, his were the loudest and most constant complaints against the king's breach of faith. So closely did Lancaster identify himself with the Ordinances, that the author of Le Livere de Reis de Britaine was prompted to call them "the ordinances of the earl of Lancaster."[1]

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3 (contd.) At any rate, they were present at his funeral. (Dugdale, Baronage, ii, 44)

4 Ann. Lond., i, 165; Ann. Paul., i, 268.

5 Ann. Lond., i, 165; Wilkins, Concilia, ii, 325-8.

6 Fœdera, II, i, 75; C.P.R., 1307-13, p.228.

1 Conway Davies, op.cit., p.357.

Of the barons there is little to be said. They were probably a representative body, but they were small in numbers and their influence was insignificant beside that of the earls. It was the earls who directed the policy of the Ordainers, and of those, the voices of Lancaster and Warwick seem to have been strongest in their counsels.

Chapter Vl.

The Ordinances.

a) Edward ll and Gavaston in Scotland.

After the initial excitement caused by the election of the Ordainers, had subsidied, domestic affairs seem rapidly to have returned to normal. By 31 March, 1310, Edward was able to write to the Pope that, whereas discordia quaedam inter quosdam proceres regni sui exorta had hitherto prevented deliberation on the twenty articles of complaint brought to England from Rome by the Bishop of Poitiers,[1] now that this discord was seemingly abated, he would call a common council to frame a suitable reply, and would send this reply to Rome about the time appointed for the next general council.[2]

Edward's main concern, however, was not ecclesiastical, but military. It he were not to lose Scotland altogether, he must deliver a check to Bruce's progress at the first opportunity. The early years of Edward's reign are punctuated with preparations for Scottish campaigns that never materialised,[3] so there was nothing unusual in the king's taking counsel with the magnates how best to avenge Bruce's repeated breaches of the truce. This probably formed the subject of the parley at Ken-

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1 V. supra, p.285.

2 Ann. Lond., i, 167.

3 In June, 1308, for example, victuals were being sent from Ireland for sale to those going on the Scottish campaign. (C.Cl. R., 1307-13, 39, 72; L.T.R. Mem. Roll 78, m.84d.) Another campaign had been planned for the autumn of 1309. (v. supra, p.279 and note 5)

nington, to attend which, Lancaster, Pembroke, Hereford and Warwick were granted a safe conduct on 24 May.[1] The magnates' advice to Edward was that nothing effectual would result from any campaign, unless he went to Scotland in person. Acting on this advice, therefore, and assured of the support of the earls of Gloucester, Cornwall, Richmond and Warenne, Edward, by letters of 16 June, ordered Pembroke to be at Berwick-on-Tweed on 8 September in preparation for the Scottish expedition, and at Westminster on 1 July to advise the king concerning the government of the kingdom during his absence in Scotland.[2] Gavaston and the rest of the baronage were also summoned to attend the levy at Berwick on 8 September.[3] Edward's appeal seemingly did not meet with immediate response, as it had to be reiterated in more earnest terms on 2 August.[4] It Edward had hoped to distract the minds of the Ordainers from their task, by embarking on this campaign, he was doomed to disappointment, for the baronage showed a marked reluctance to follow him.

Of the earls, Gavaston seems to have answered the king's call at once.[5] Warenne also served in person. Only one of the Ordainers, however, Gilbert of Gloucester, preferred to

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1 V. supra, pp285 and note 6,286.

2 National Mss. of Scotalnd, ii, no.20; A.C. xlix, no.6.

3 Parl. Writs, 11, ii, 395. Their summons is dated 18 June.

4 Ibid., 11, ii, 399.

5 He was included in the second appeal of 2 August, but on 16 July, letters of protection had been issued to one of his bachelors, Thomas of Chaucumbe, who was setting out for Scotland in his company. (Rot. Scot., p.89a.) On the way northwards he killed a man and committed various other transgressions in concert with certain others: all of them received the king's pardon. (C.P.R., 1307-13, p.277; cf. supra, p.154)

fight for his country rather than assist in framing ordinances for its better government. Lincoln was appointed custos of England on 1 September, 1310, and so had to remain at home. But Lancaster, Warwick, Pembroke, Arundel and Hereford, though they sent Edward their due services, refused to leave the security of London.[1] Even when the king held a conference at Northampton on 1 August, they declined to go, contenting themselves with notifying him by messenger of their intention not to go to Scotland with him.[2]

The reasons given by the chroniclers for the refusal of the Ordainers to attend Edward in person, alternate between hatred of Gavaston[3] and desire to proceed quietly with the drawing up of the Ordinances.[4] There is probably more truth in the second reason then in the first. The earls undoubtedly hated Gavaston, but it was probably not so much petty spite which kept them at home, as the realisation that Edward's launching an attack against the Scots, was in the main a ruse to busy their minds with something other than schemes for the circumvention of his misrule. The power of the Ordainers was to last only till Michaelmas, 1311, and Edward must have intended that the campaign should last until that time. If he could have induced the Ordainers to join his standard, in all likelihood their policy would never have come to fruition. Apparently the belief that the expedition was a pretext on the king's

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1 By a mandate of 29 May, 1310, the mayor, sheriffs and aldermen of London had been ordered to see to the safety of the Ordainers. (Ann.Lond., i, 174) The following 30 December, however, orders were made out to the mayor and sheriffs, bidding them find a remedy for the robberies, murders and other deeds of violence that were being committed in the city. (Fœdera, II, i, 124)

2 Ann.Paul., i, 269.

part, was not confined to the earls alone. According to the author of the Vita Edwardi,[1] it was rumoured among the people that Edward was actuated, not so much by desire to fight the Scots, as to evade the king of France's request that he do homage for the lands which he held from him, for he feared that if he went abroard and left Gavaston behind, the favourite might be imprisoned or even executed. Whatever the currency of this rumour, it could hardly have been the reason for Edward's sudden warlike activity, as he had already rendered homage to Philip the Fair,[2] and Philip did not die until 1314. Edward's reactions to the policy of the Ordainers, however, were no secret. He had notified the Pope of his predicament and had sent him certain of the Ordinances, probably the six provisional ones,[3] and so intense was his dislike of having to delegate his power to a baronial committee, that at one time it had seemed as though civil war were imminent.[4] In these circumstances, it was only natural that his unwonted sensitiveness with regard to the breach of the truce by the Scots, should be interpreted as a mere pretext for safeguarding his own position.

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3 (contd.) Vita Edw., ii, 164; Hemingburgh, ii, 277.

4 Ann. Lond., i, 174.

1 ii, 165.

2 On the occasion of his marriage in January, 1308. (v. supra, p. 195 and note 2)

3 Ann. Paul., i, 268.

4 Gesta Edw., ii, 39. The earls of Gloucester and Warenne and others of the king's familiars, including, of course, Gavaston, are noted as strenuously opposed to the Ordainers.

The army which Edward led against the Scots was therefore deficient in leaders.[1] Nevertheless, it was not to be despised. The king was accompanied by many barons[2] and a great host of knights and English and Welsh foot-soldiers. Gavaston's service of three knights' fees was performed by Alexander Cheverel,[3] Edmund Wasteneys and Giles d'Argentein, afterwards the hero of Bannockburn,[4] and his company included such men as Sir Robert Darcy, Thomas le Latimer, Adam of Everingham, William of Vescy of Kildare, Sir Warin de l'Isle, Baldwin le Moigne and Nicholas of Walsokne.[5] Probably the different contingents proceeded northwards separately - Gavaston seems to have left the court by 16 July[6] - but they would all have been present at the muster at Tweedmouth on 18 September.[7] From Tweedmouth, the army proceeded to Biggar, which it reached at the beginning of October, and where it heard that Bruce and his forces were on a moor near Stirling.[8] No immediate advance seems to have been

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1 This is noted even by the compiler of the Annals of Ireland. (p.295) This expedition against the Scots is also noted in the Annales Hiberniae. (p.339)

2 Hemingburgh (ii,278) notes Henry of Percy and James Clifford as accompanying the king.

3 For Alexander Cheverel, v. supra, p.192 and note 7.

4 It had been under Giles's direction that the ill-fated tournament at Kennington had been arranged in the autumn of 1308. (v. supra, p.270 and note 1)

5 C.Ch.W., i,317,322,327,328,345,362.

6 Rot. Scot., p.89a. Payments to messengers bearing letters to him from the king were made on 26,27 and 28 August and on 2,3 and 12 September, 1310. (Exch. K.R. Accts 374/7, ff.10,11,13)

7 Parl. Writs, II, ii,403.

8 Cal.Doc.Scot., iii,31.

Sketch map of the Scottish border and lowlands to illustrate

Gavaston's campaign there, September, 1310 - August, 1311.

Highlands from 1,200-3,000 Ft.

Uplands from 600-1,200 Ft.

Places visited by Gavaston underlined thus:- Dundee.

made against the enemy, for on 25 October, 26 of Gavaston's archers returned home by his licence.[1] By 25 November, Gavaston was at Roxburgh, where it was intended that he should spend the winter, the king and queen meanwhile wintering at Berwick, the earl of Gloucester, at Norham, and the earl of Warenne, at Wark.[2] Eight days before Christmas, Sir Robert Clifford and Sir Robert FitzPayn were sent to Selkirk by the king to speak with Bruce.[3] Later, Gavaston and Gloucester arranged to meet him near Melrose, but he apparently heard that his capture was meditated and so did not appear.[4] After these fruitless attempts at a parley, the king sent Gavaston to Perth with five hundred men-at-arms, in case Bruce, who was then marching towards Galloway, should cross the Firth of Forth to collect troops.[5] Gavaston was still at Roxburgh on 18 December,[6] but by 17 January, he had set out for Perth with his army.[7] By 22 January, he seems to have reached the Forth,[8] but apparently returned to Berwick again instead of embarking, for we hear of his quitting that town for Perth on 3 February.[9] Perhaps the expedition was deferred whilst the

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1 Exch. K.R. Accts 374/7,f.18. On leaving the army they received a present of £1 from the king. Gavaston's archers had already received a similar present of £2 on 11 September. Later, on 18 November, twelve of them received £5 between them. (ibid.,ff. 13,21)

2 Cal.Doc.Scot.,iii,33. During the winter, Gavaston was in constant correspondence with the king: he also received at least one letter from the Bishop of Worcester. Gloucester also received a number of letters from the king. (Exch. K.R. Accts 374/7,ff.19,21,22,25,27,30)

3 Cal.Doc.Scot.,iii,39.

4 Ibid.

5 Lanercost,p.214.

6 Exch. K.R. Accts 374/7,f.25.

7 Ibid.,f.29. Many of Gavaston's men, who included three of the Queen's yeomen, received prests on their wages before their departure. (ibid.,ff.30,31,102.)

8 Ibid.,f.29.

English army tried again to get in touch with Bruce.[1] Gavaston at first undertook to keep Perth until Easter.[2] Towards the end of March, however, he paid a visit to Berwick on some business with the king, accompanied only by Sir Henry Beaumont and a few attendants, and on leaving for Perth again on 24 March, undertook to guard the country beyond the Forth until three weeks after Easter.[3] About this time there was a rumour current that Bruce had intended offering Gavaston pitched battle, but had abandoned the idea because he did not think his forces strong enough to meet the English in the open.[4] Throughout the campaign, Bruce proved too canny for the English. Knowing himself to be inferior in numbers to the opposing forces, he purused the guerilla tactics of retreating before Edward's advancing armies, to advance himself and harass their rear as they in turn retreated. Thus, when Edward turned southwards to winter at Berwick, Bruce invaded Lothian and did much damage.[5]

So far, the credit for the campaign had gone to

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9 (contd.)
Tanquerey, Recueil, p.99.

1 Ibid. This attempt at parley was seemingly not sanctioned by the king. John Walwayn, who tried to talk with Bruce, was arrested and imprisoned at Berwick.

2 Ibid.

3 Cal. Doc. Scot., iii, 40. Before he left Berwick, Beaumont was provionally appointed constable of Scotland. Cf. also ibid., pp.41, 246.

4 Ibid., pp.40-1.

5 Lanercost, p.214.

Gavaston. Edward had done little else but winter at Berwick. Whilst there, he had further alienated the Ordainers by ordering the removal of the Exchequer and the benches to York by Easter.[1] This move may have been purely for administrative convenience, but the Ordainers seem to have interpreted it as intended to circumvent them. They accordingly left London and returned each to his own district. Lincoln had warned the king that this was not time to give such orders, and had even threatened to refuse to act as his lieutenant, or to keep the peace, but Edward was deaf to his remonstrances. It was nevertheless believed that there was an understanding between them.[2] Unfortunately this could not be said of Edward's relations with the rest of the Ordainers, who by this time had every reason to distrust the king, for Edward had deliberately set at nought the first of the six provisional Ordinances by granting to Gavaston the custody of Nottingham castle on 20 September,[3] and conferring on him the office of justice of the forest north of Trent on 1 October,[4] neither of which grants was with their consent of the Ordainers.

Lincoln died on 6 February, 1311,[5] and Gloucester was appointed keeper of the realm and king's lieutenant on 4 March.[6]

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1 Cal. Doc. Scot., iii, 33, a letter dated 25 November, 1310 from York.

2 Ibid.

3 Fœdera, II, i, 116; cf. C.P.R., 1307-13, p.315.

4 Fœdera, II, i, 116; Parl. Writs, II, ii, app., 32; C.F.R., ii, 73. In this capacity, Gavaston was ordered, by letters dated 18 June, 1311, to act as commissioner of array and to select 100 foresters and others to serve as foot-soldiers against the Scots. (Parl.Writs, II, ii, 413) Gavaston seems to have discharged this office by deputy, however. At any rate, the view of the forests of Shirwood, Inglewood and Galtres was carried out by his nominees. (C.P.R., 1307-13, p.315) He may have appointed the verderers himself, but it was his officials who audited the ac-

The justices, William of Bereford and Henry le Scrope, who had recently been summoned to Berwick for conferences with the king,[1] were appointed to advise the new lieutenant,[2] who left the campaign and arrived in London about 25 April.[3] Probably Gloucester found all the Ordainers assembled in London on his arrival there;[4] the earls of Lancaster, Hereford, Pembroke and Warwick had been there since 22 February, at least, the purpose of their meeting being unknown.[5] Trouble was expected because of the friction between Lancaster and Gloucester.[6] The king, however, did nothing to allay the impending strife, but continued to issue commands which even his own familiars described as 'marvellous.'[7] Perhaps this was because he was almost unattended at Berwick by the end of March, and so had no-one to advise him. The deficiency was remedied by sending him without delay Despenser the elder and certain other magnates.[8] With the king absent and open hostility between the lieutenant and the earl of Lancaster, it is not surprising that disorder was common all

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4 (contd.) counts of the agisters. (ibid., p.295) These accounts do not seem to have been very well kept. As late as 1319, John Harclay was charged with never having rendered an account of the £100 which he had received as master forester of Inglewood forest during this period. (Cal.Doc.Scot., iii, 128)

5 Ann.Lond., i, 175; Ann.Paul., i, 269. Lincoln was buried in St Paul's on 28 February. (Cal.Doc.Scot., iii, 246)

6 Fœdera, II, i, 129.

1 Conway Davies, op.cit., p.365.

2 Chan. Misc. 22/19 (8).

3 Cal. Doc.Scot., iii, 246.

4 Ibid., iii, 246, a letter dated from ~~London~~ Windsor on ~~22 February~~ 14 April, 1311.

5 Ibid., iii, 246, a letter of 22 February, 1311, from London.

over England. Although tournaments had expressly been prohibited on account of the Scottish expedition, three further prohibitions had to be issued.[1] Finally, by June, a state of private warfare existed in Norwich.[2]

The death of the earl of Lincoln was a great blow to the king. He was succeeded by his only child, a daughter, the wife of the earl of Lancaster. On 27 May, the king granted the Lincoln lands to Lancaster in right of his wife.[3] Thus Lancaster became the possessor of five earldoms, those of Lancaster and Leicester, which were already his, and now those of Lincoln, Chester and Salisbury. As such, he was by far the greatest and the wealthiest land-owner in the kingdom, and his cpacity for weakening the king's position was proportionately increased. Lancaster's attitude towards Edward is epitomised by his conduct on the occasion of his taking over the Lincoln lands. Summoned to do homage for them, he protested that he would not go out of England for that purpose, the king being then at Berwick, and even threatened to enter on them without the formality of doing homage.[4] Edward was in an awkward quandary. If he crossed over the border into England, he would be behaving in a

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6 (contd.) Ibid., iii, 41.

7 Ibid.

8 Chan.Misc. 22/10(8)

1 On 18 January in respect of a tournament at Northampton and on 20 March, in respect of one at Leicester. On 20 May, the general prohibition was repeated, for the king had heard that preparations were being made to hold them secretly. (Fœdera, II, i, 125, 131, 135)

2 Ibid., II, i, 137.

3 C.F.R., ii, 92; Hemingburgh, ii, 284-5; cf. C.P.R., 1307-13, p.350.

4 Lanercost, p.215.

way unworthy of a king. Yet if he stood on his dignity, it would be tantamount to the declaration of open hostility between himself and his cousin. Finally Edward sacrificed his dignity, and proceeded to Haggerston, about four miles from Berwick. There Lancaster saluted the king amicably, but would neither kiss nor salute Gavaston, who was also present, de quo ipse non modicum est gravatus.[1] Apparently, therefore, though Gavaston was acquitting himself honourably in the campaign, the prejudice of the nobility was not to be overcome. This may have been partly due to his own fault; the author of the Scalacronica notes that his conduct at Dundee was very unaccommodating.[2]

With Lancaster so openly hostile to the king and his favourite, it was more imperative than ever that Gavaston should ingratiate himself with the other magnates by inflicting a crushing defeat on the Scots. Gavaston had campaigned steadily throughout the winter months, although this was unusual.[3] Having wintered at Berwick, Edward began campaigning again in March, but, finding no fodder for his horses, soon returned to Berwick for good. Gavaston, however, he sent against the Scots with a great army ut nomen sibi acquiret et laudem.[4] The favourite certainly did his best. Towards the end of February, Gloucester and Warenne had ridden through the forest of Selkirk, receiving the inhabitants into the king's peace.[5] Gavaston now

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1 Ibid., loc.cit.

2 P.139.

3 Campaigning during the winter was practically impossible. Sir Robert Clifford, however, was another who continued fighting. With 100 men-at-arms, he surveyed the castles south of the Forth and did his best against the enemy until the appearance of the grass enabled the English host to foray and get supplies for their horses. (Cal.Doc.Scot., iii, 40-1)

4 Hemingburgh, ii, 278.

5 Lanercost, p.214.

left Perth at the beginning of May, entrusting it to the care of Sir Henry Percy and the earl of Angus, with many Scottish lords and two hundred English men-at-arms.[1] Crossing the Firth of Forth, he made his headquarters at Dundee[2] and began a strenuous campaign.[3] But it was all to no purpose. On Gavaston's approach, the Scots would retreat steadily before him and hide themselves in the mountains and the marshes.[4] Gavaston received into the king's peace those who remained behind,[5] but the great majority seem to have eluded him altogether.

It was to Edward's interest to delay in the north as long as possible. As early as 4 April, it had been noted in a letter from Scotland that the king was as yet in no mood for a Parliament, but that when the earl of Gloucester and the council met in London, he would have to do as they ordered.[6] The Ordainers meanwhile were becoming impatient for the king's return. Their power was due to end at Michaelmas Day, and it was vital that the king should return before then in order to hear the Ordinances read, and to confirm or annul them. They accordingly met in London in June, 1311,[7] and, in answer to pressure

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1 Cal. Doc. Scot., iii, 40-1.

2 Exch. K.R.Accts 374/5, ff.50v, 55v; Cott. Ms. Nero C viii, f.34. Letters from the king were sent to Gavaston at Dundee. (ibid., f.56)

3 Hemingburgh, ii, 278.

4 Ibid.

5 Lanercost, p.214.

6 Cal. Doc. Scot., iii, 40-1.

7 Vita Edw., ii, 169.

brought to bear on him, Edward on 16 June assented to the issue of writs summoning a Parliament for 8 August.[1] The king really had no choice in the matter. The unsatisfactory nature of the campaign, in which the English army was gradually succumbing to the guerilla tactics of the Scots,[2] coupled with the belief that Edward was as much concerned with saving Gavaston's skin as with fighting Bruce,[3] tended rather to increase Edward's unpopularity, but was not in itself sufficient to ensure his return south. A far more potent factor in dislodging him from Scotland was his lack of supplies. The expedition was probably in no way distinguished for its costliness, but the younger Edward was far less successful in commandeering supplies than his father had been. From a letter of 4 April, it seems that the king had no realisation of his desperate straits, but believed he would always have sufficient supplies.[4] The scale of his expenditure may be gauged by his financial dealings with Gavaston at this period. From Gavaston, Edward borrowed £716.7s.8d. towards the cost of garrisoning the Scottish castles from 10 January to 26 May, 1311.[5] As £408.11s.8d. of this was still owing on 22 March, 1312, he was on that date assigned the receipts from the custom on wool, hides

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1 Parl.Writs, II, ii, 44.

2 The Vita Edwardi (ii, 205-6) relates how nearly three hundred English and Welsh foot were destroyed by the Scots in an unexpected skirmish. Gavaston's expedition across the Forth probably consisted of a series of forays. (v. Cott.Ms. Nero C viii, f.82v.)

3 The author of the Vita Edwardi (ii, 205, 207) mentions this divided intention as a source of weakness to the campaign.

4 Cal. Doc. Scot., iii, 40-1.

5 Exch. K.R. Accts 374/5, f.49v.

and wool-fells in the port of Berwick until he should have recouped himself.[1] The king also made various purchases from Gavaston, £219.8s.2d. worth of wine,[2] £74.0s.6d. worth of flour[3] and £335.3s.0d. worth of other provisions.[4] On the other hand, Gavaston's warlike activity was naturally a source of expense. He seems to have received only one gift of thirty tuns of wine from the king,[5] but prests amounting to £446 were made towards the expenses of his household at Dundee, and £18 towards those incurred during his stay at Berwick.[6] He was also sent 1,400 marks during his stay at Perth.[7] Most of what he received from the king, however, he seems to have paid for, for he figures largely among the purchasers of provisions and other necessities from the royal commissariat.[8]

When Edward gave his assent on 16 June to the summoning of a Parliament for 8 August, he had no intention of relinquishing the campaign. On the contrary, he seems to have determined on a more concentrated effort, although he would not be

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1 Fœdera, II, i, 160; C.P.R., 1307-13, p.449.

2 Exch. K.R. Accts 373/26, ff.3, 42.

3 I.R. 159, m.3; Exch. K.R. Accts 373/26, f.2v. This flour was paid for out of the revenues from the escheatry north of Trent.

4 Ibid., f.44.

5 Cott.Ms. Nero C viii, f.67v.

6 Cal. Doc. Scot., iii, 39; Exch. K.R. Accts 373/26, f.31. This £446 may, or may not have included £38 which was advanced as a prest to his steward, Edmund Hakelut. (ibid., 374/5, f.55v.) Gavaston was not the only one whom Edward assisted in this way. He made a prest of £165.7s.9d. towards the household expenses of the lady Eleanor Despenser. (ibid., f.55)

7 Cal. Doc. Scot., iii, 45. There would also be various incidental expenses connected with the provision of hay and oats for his horses. (v. ibid., loc.cit., for an entry recording the expenditure of £1.6s.7d. for this purpose.)

8 Cott.Ms. Nero C viii, ff.68, 68v, 69, 69v. Other purchasers includ-

there to superintend it personally. On 18 June, a proclamation was drawn up that all merchants might securely proceed to Berwick to sell their provisions to the army there.[1] Then, leaving Gavaston as his lieutenant in Scotland,[2] Edward began the homeward journey towards the end of July,[3] whilst his lieutenant recruited his strength for a fresh drive against the enemy. Serious campaigning seems to have ceased with the king's departure, however. A muster at Roxburgh had been intended for 1 August,[4] but whether it took place or not, Bruce seems to have been in no way deterred by it. According to the Lanercost Chronicle,[5] he took advantage of the discord which had arisen over Gavaston, to invade England and ravage for eight days at the beginning of August. It is not certain how long Gavaston remained in Scotland after Edward's departure. He was certainly at Berwick in August,[6] but may have left for the south any time during this month. Baker,[7] Murimuth[8] and the St Paul's annalist[9] all state that Edward, on his return home, placed Gavaston in Bamborough castle, telling the magnates that this was done out of deference to them and that he was really imprisoned there. As we know, however, that Edward left Gavaston as

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8 (contd.)
ed Edmund of Mauley, Ingelard of Warley, Robert Clifford, Ralph of Monthermer, Robert FitzPayn, Henry Beaumont, Roger Mortimer, Gilbert of Gloucester, Edmund of Windsor, John of Sandale and Bartholomew of Badlesmere.

1 C.Cl.R., 1307-13, p.324.

2 Ibid., loc.cit.

3 Letters were exchanged between Edward and Gavaston at the end of July and the beginning of August. (Cott. Ms. Nero C viii, ff.82, 82v.)

4 The summons was made out on 4 July. A previous summons had ordered the muster for 24 June. (Fœdera, 11, i, 139)

5 P.216.

his lieutenant in Scotland, it is clear that these three chroniclers must be mistaken. After Gavaston left Scotland, however, he may quite well have broken the journey by a visit to some northern stronghold, perhaps choosing Isabella de Vescy's castle of Bamborough in preference to his own castle of Knaresborough a hundred miles further south, because he thought his chances of safety increased in proportion to his proximity to the border. It is not known how long Gavaston was in the north, but he seems to have remained there during the period of the publication of the Ordinances. An attack may have been made on his life whilst he was there, for in September he wrote to Edward, asking his pardon for having killed a man.[1]

Thus the war which had seemed in 'a good way' in February,[2] had petered out by August. The indecisive nature of the campaign, however, cannot be laid to Gavaston's charge. Even the chroniclers give him credit for his military skill against the Scots.[3] The highest praise comes from Geoffrey le Baker, according to whom the spirited conduct and general excellence of the English under Gavaston's leadership carried all before them, but when jealousy made the favourite relinquish the command, the crafty vigilance of the Scots re-asserted itself

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6 (contd.) Exch. K.R.Accts 373/26, ff.38,44.

7 P.4. 8 P.15. 9 i,269.

1 Nero C viii, f.83v. The same month the king made him a present of 500 marks by the hand of his nephew, Bertrand Calhau. (ibid., f.88v.)

2 Cal. Doc. Scot., iii, 246.

3 Lanercost, p.216; Hemingburgh, ii, 278.

and prevailed against those whom the king had appointed to keep the English castles in Scotland.[1] Yet if the English had inflicted no crushing defeat on the enemy, they had held their own against them and more than revenged themselves on Bruce for his ravagings in England.[2] With Gavaston accomplishing so much in such adverse circumstances, it is more than likely that, had he and the king received active co-operation from the whole body of the earls, Scotland would have been decisively quietened and the disaster of Bannockburn prevented.

b) The Publication of the Ordinances.

Whilst Gavaston was acquitting himself honourably against the Scots, most of the other earls had remained at home "compassing his destruction."[3] Edward had left the north at the end of July. A copy of the Ordinances was sent him on 3 August.[4] When it reached him, he was probably at Blackfriars, awaiting the magnates' pleasure.[5] As some of the barons, whose presence was indispensable, had not yet arrived, the king betook himself to Canterbury[6] and returned to London about 14 August, by which date he was at Westminster. On that day, ordinances for the safe keeping of the city were drawn up by the mayor and aldermen of London, who chose guards for the gates and decreed a certain hour for their closing.[7]

Parliament met on 16 August and the Ordinances were read to the assembly chapter by chapter, Then the magnates,

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1 Chronicon, p.4.
2 Hemingburgh, ii, 278.
3 Scalacronica, p.139.
4 Conway Davies, op.cit., app., no.114.
5 Vita Edw., ii, 170.
6 Ibid.
7 Parl. Writs, II, i, 69.

the Treasurer, Chancellor, justices and barons of the Exchequer, the knights of the shire, the mayor and aldermen of London and the worthiest citizens, all swore to keep and maintain those Ordinances which that Parliament should confirm.[1] The king, however, tried to temporise and delay. On the advice of his counsellors, he protested that some of the Ordinances were very distasteful to him, and urged that he was not bound to observe them, when, by the terms of the Ordainers' commission, anything touching his royal dignity had been expressly excepted.[2] The magnates on their side considered this a frivolous excuse, and refused to give way.[3] Edward particularly objected to that clause which ordained his favourite's exile.. Alternately wheedling and threatening, he attempted to bargain with the barons, offering to assent unreservedly to all the other Ordinances, however obnoxious and inconvenient they might prove to be, provided they let Gavaston alone and allowed him to keep the Cornwall lands. Had the baronial party been less resolute, a deadlock might have resulted. As it was, Edward was induced to sanction the issue of the Ordinances only when faced with the ultimatum of having to look to his own safety if he persisted in his refusal. With civil war impending, the king's advisers had no option but to counsel him to accede to the barons' demands.[4]

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1 Conway Davies, op.cit., p.366.

2 Vita Edw., ii, 170.

3 Apparently the commons did not share the earls' enthusiasm for the Ordinances. By letters of 12 September, it was forbidden to leave Parliament without leave, and the seventeen members who had already done so were ordered to return immediately. (Fœdera, ll, i, 143)

4 Ibid., ll, i, 143. Disorder was still prevalent in the country. By letters of 20 July, Nicholas Segrave and William Marshall had been forbidden to come to Parliament in arms. (ibid., ll, i, 140

On 27 September, therefore, the Bishop of Salisbury, acting as the lieutenant of the Archbishop of Canterbury, published the Ordinances in the churchyard of St Paul's in the presence of several Bishops, the earls of Lancaster, Pembroke, Warwick, Hereford, Oxford and Arundel and several barons.[1] The following 5 October, at the cross in St Paul's churchyard, the earl of Gloucester, Henry Percy, Hugh Despenser, Robert Fitz-Payn, Payn Tybotot, the Chancellor and Treasurer and others of the king's council, announced the Ordinances to the people, to be maintained throughout the realm by the king's grant and goodwill.[2] Finally, on 11 October, the Ordinances were sealed with the Great Seal and sent to all the counties to be published and confirmed.[3] To ensure the observance of the Ordinances, all gainsayers were to incur excommunication.[4]

The Ordinances have been analysed in detail by Conway Davies.[5] It will therefore be sufficient to note here that they were forty-one in number and ranged from minor administrative restrictions to formal confirmations of existing rights and broad schemes for the future. There were clauses confirming to the Church her existing franchises,[6] clauses decreeing the observance of Magna Carta according to its inter-

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1 Statutes of the Realm, 1, 167; Ann. Paul., i, 170; Flores Hist., iii, 147; Trokelowe, p.67. Hemingburgh (ii, 278) wrongly gives the date of publication as 1 November.

2 Rot. Parl., i, 281; Gesta Edw., ii, 39; Flores Hist., iii, 147.

3 Foedera, II, i, 146; Vita Edw., ii, 171; Flores Hist., iii, 147; Murimuth, p.15. The writs are dated 10 October. A copy of the Ordinances was ordered to be kept in one monastery in every bailiwick, where it could best be seen. (Foedera, II, i, 146; C.Cl.R., 1307-13, p.439; cf. Vita Edw., ii, 171, Murimuth, p.15)

pretation by the Ordainers[1] and the maintenance of all statutes of the realm, if not contrary to Magna Carta, the Charter of the Forest or the Ordinances,[2] and clauses prohibiting the encroachment of the king's private prerogative courts on the jurisdiction of those of common law.[3] Other clauses attempted to restrict the use of the privy seal[4] and to effect reforms in justice.[5] Two concerned the forest, its keepers and its pleas,[6] and six were purely financial.[7] On the whole, all these clauses were merely attempts to get the recognised law enforced. The Ordinances also embodied a scheme for making the government of England a limited monarchy, in which the king's chief ministers were to be appointed by,[8] and responsible to the Council and Parliament,[9] this scheme differing from that put forward in the Provisions of Oxford of 1258 in that the instrument of coercion was now to be, not a baronial council, but Parliament. Further restrictions on the king's prerogative were the check on his power of granting gifts[10] and the ban on his declaring war or

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4 (contd.)
Flores Hist., iii, 147; Hemingburgh, ii, 278.

5 Op.cit., pp.367-81.

6 Ordinances 1 and 12. (Rot.Parl., i, 281-6; Statutes of the Realm, i, 157, 160. This last contains the Ordinances in full and in translation. The following references will be to the Ordinances as numbered there.)

1 Ordinances 6 and 38.

2 Ordinance 31.

3 Ordinances 26 and 27.

4 Ordinance 32.

5 Ordinances 25, ~~and~~ 26, 27, 28, 33, 34, 35, 36, 37.

6 Ordinances 18 and 19.

7 Ordinances 4, 8, 10, 11, 24, 30.

8 Ordinances 13, 14, 15, 16, 17.

9 Ordinances 29, 39, 40.

10 Ordinances 3 and 7.

going out of the realm without the common consent of the baronage in Parliament.[1] The barons also tried to regulate and control the king's household by decreeing that he must in future "live of his own,"[2] and that the keeper and controller of the Wardrobe, together with the steward of the household, should be appointed by the barons in Parliament.[3]

All these administrative and personal restrictions must have been sufficiently irksome to the king, but it was to the penal clauses that he took the greatest exception. Though these clauses, as Conway Davies points out, "were not actuated solely by personal motives,"[4] they bulked largest in the eyes of the chroniclers,[5] and were probably considered the most important by the Ordainers themselves. The twentieth Ordinance decreed the exile "for all time and without hope of return" of Peter of Gavaston, earl of Cornwall, "as a public enemy of the king and kingdom." He was to leave England by All Saints' Day from the port of Dover, and all dominions subject to the king of

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1 Ordinance 9.

2 Ordinance 10.

3 Ordinance 14. A clerk was also to be appointed by the barons to keep the Privy Seal.

4 Op.cit., p.371. He adds: "Their importance is that they were but special applications of the general policy which directed the barons in their opposition. In other words the personal clauses form one phase of the policy of restraint as expressed in the Ordinances."

5 The author of the Vita Edwardi (ii,172) definitely states that many people considered the twentieth Ordinance of more importance than the others, inspicientes enim ordinationes statim ad illam recursum habebant: he therefore gives it in full. (ii,172-3.) The London annalist (i,202), the annalist of St Paul's (i,270), John of Trokelowe (p.67), the Lanercost chronicler (p.216), the continuator of Trivet (p.9) and the author of the life of Clement V (Vitae Paparum, i,42) all record Gavaston's banishment as though it were the Ordainers' chief accomplishment. There is also a full résumé of all the personal clauses in the Gesta

England were to be closed to him. There was a long list of charges against Gavaston, most of which have already been investigated.[1] It is interesting, however, to find him charged with "making alliances of people by oaths to live and die with him against all men, and that by the treasure which he acquired from day to day." From this, it seems as though Gavaston were aware of his danger and were trying to avert it by attracting a crowd of followers around him. We have no evidence that those who wore the Cornwall livery outnumbered those who wore that of Lancaster or Pembroke, but Gavaston's adherents were numerous enough to attract the attention of the St Paul's annalist,[2] the canon of Bridlington,[3] the so-called Malmesbury chronicler,[4] Robert of Reading[5] and the biographer of Clement V.[6] There is no record evidence, however, that Gavaston consciously tried to build up a party.

From the drastic punishment meted out to him, it is clear that Gavaston was considered the foremost of those 'evil counsellors,' for whose removal the Ordinances provided.[7] Lesser offenders were Sir Henry Beaumont and his sister, Lady Isa-

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5 (contd.) Edwardi (ii,172) and brief summaries of them in the Melsa Chronicle(ii,326-7) and in Le Livere de Reis de Engleterre, Sempringham Continuation. (p.328)

1 V. supra,pp.141-86, passim.

2 Ann.Paul.,i,263,268.

3 Gesta Edw.,ii,40.

4 Vita Edw.,ii,183. He names Henry Beaumont and Edmund of Mauley in particular as Gavaston's familiars.

5 Flores Hist.,iii,146.

6 Vitae Paparum,i,42.

7 Ordinance 13.

bella de Vescy, who were both banished from the king's society.[1] Provision was also made for the arrest of the Frescobaldi until they rendered their account,[2] and for the seizure of Amerigo's lands.[3]

It is easy to exaggerate the importance of the Ordinances. True, the implications of the programme they embodied show a considerable advance on that put forward in the Provisions of Oxford, but the weakness and temporary nature of the executive machinery intended to enforce the observance of the Ordinances, combined with the king's determined opposition to them, impaired their efficacy from the start. With no adequate machinery provided to give effect to the Ordinances, it was quite easy for the king, who had been brought to assent to them only by the exercise of coercion, to circumvent them. The repetition at the commencement of the Ordinances of 1311 of the six interim Ordinances of 1310, shows that Edward's determination to ignore the rulings of the Ordainers had not gone undetected by the magnates. The presentation to the king of thirty additional Ordinances,[4] many of them merely a reiteration of the previous ones, supports this belief. With the weakness of their position thus emphasised and recognised, it seems strange, therefore, that the barons could still devise no more effective instrument of coercion for an unwilling king, than an annual, or, at most, a biennial Parl-

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1 Ordinances 22 and 23. Lady Isabella was also deprived of the royal castle of Bamborough, of which she had been custodian since Edward 1's reign. (cf. K.R. Mem. Roll 80,m.2)

2 Ordinances 5 and 21.

3 Ordinance 21. It is probably XXXX Amerigo that Hemingburgh intends by "the chief merchant of the lord Peter," on whom he alleges Edward bestowed a barony in Lindsay (ii,274). There is no

iament. It is tempting to interpret this baronial apathy towards the provision of sanctions for the Ordinances as evidence of the supreme importance of the penal clauses. As long as the king was deprived of his evil counsellors, of Gavaston in particular, and the Frescobaldi were brought to account, the barons seem to have resigned themselves to his setting the other Ordinances at nought. The proximity to the throne of Gavaston and his friends seems therefore to have been the raison d'être of the Ordinances, which thus stand revealed as no more than personal grievances decked in constitutional and administrative trappings.

The second Ordinances, which were presented to the king between 25 and 30 November,[1] are interesting, not only as showing Edward's bad faith (they are for the most part repetitions of the barons' original demands), but also because they specify by name the courtiers whose presence near the king was considered impolitic. The list of undesirables now included all Gavaston's kindred[2] and all those whom he had introduced into both the king's and the queen's households.[3] Other articles, directed against officers of the household or persons about the court, singled out men known to have been intimately connected with the favourite. John of Charlton, for example, now the king's chamberlain,[4] had originally been one of Gavaston's yeomen.[5] John of Knockin, also in the king's service,

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3 (contd.) record evidence of this grant, however.

4 Ann.Lond., i, 198-202; Mun. Gildh. Lond., ii, ii, 682-90; cf. Conway Davies, op.cit., pp.382-5.

1 The date is fixed by Tout (Chapters, ii, 198, note 1)

had been another,[1] and Bertrand Assaillit, who with his brother and certain fellow Gascons was alleged to have endangered the king's peace by garrisoning castles in Cornwall,[2] a third.[3] John of Sapy had been one of Gavaston's knights[4] and William of Vaux was one of his attornies.[5] Roger of Wellesworth, Gavaston's one-time clerk and treasurer, now escheator south of Trent,[6] may have owed his advancement to Gavaston's good offices, as may also John of Hothum, the escheator north of Trent, who had been Gavaston's paymaster in Ireland.[7] John de la Beche[8] and Edmund Bacon[9] were probably also connected with Gavaston, for they were both appointed custodians of his lands during his third exile. There is no evidence that Gavaston was connected with Robert Lewer, the archer, Burgois de Tyl and his son, Roger of Knockin, Ralph of Waltham, Richard of the Wardrobe, Gerard Salvayn, Robert Darcy, Ingelard of Warley, Robert Turk,

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2 (contd.)
Ann. Lond., i, 199; Mun. Gildh. Lond., ll, ii, 683.

3 Ann. Lond., i, 199-200; Mun. Gildh. Lond., ll, ii, 685.

4 Tout, Chapters, ii, 225, note.

5 Exch. K.R. Accts 13/7, m.1.

1 Ibid., loc. cit.

2 Ann. Lond., i, 199; Mun. Gildh. Lond., ll, ii, 684.

3 Cott. Ms. Nero C viii, f.87v.

4 Ibid., f.83.

5 C.P.R., 1307-13, p.397.

6 I.R. 143, m.4. He was appointed escheator on 26 April, 1311 and held office until 30 December, 1312. (Tout, The Place of Edward ll, p.323) Roger had originally been the steward of the household of Edward of Carnarvon, so his appointment as escheator may have been the king's way of rewarding his former minister.

7 V. supra, p.264

8 C.F.R., ii, 117.

9 Ibid., loc. cit.

John Sperman, Adam Bray, Ralph Spray and Richard Damory, to whom the magnates also took exception. Since we know for certain, however, that over a third of the officers against whom the second Ordinances were directed, were either former members of Gavaston's household or else closely associated with him, it is evident that even in his exile he was not without friends at court.

These additional Ordinances emphasise the weakness of the barons' position. Without the sanction of executive machinery to enforce their observance, the Ordinances were virtually a dead letter. There was no need for the king deliberately to set them at nought;[1] he could so easily circumvent them. Thus he obeyed the letter of the Ordinances by taking Gavaston's lands into his own hand, whilst at the same time mocking their spirit by entrusting them to Gavaston's own officers.[2] Again, in accordance with the Ordinances, writs were sealed on 9 and 11 October, 1311, revoking all grants made in England, Scotland, Ireland and Gascony after 16 March, 1310,[3] yet seemingly nothing was done to enforce them. Both these instances of Edward's double-dealing were provided for in the second Ordinances,[4] which also reiterated all the personal clauses of the previous

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1 He apparently did so, However, in the matter of Gavaston's letters of protection and general attorney, which the barons complained were still effective, despite the Ordinance against him. (Ann. Paul.,i,201; Mun. Gildh. Lond.,ll,ii,688)

2 The barons' anxiety on this score was probably caused by the fear that, with his own officers in charge of his lands, Gavaston might easily return to England and remain in hiding.

3 Fœdera,ll,i,145; C.F.R.,ii,108; C.Chan.R.,1272-1326,pp.98-104.

4 Ann. Paul.,i,198-9,201; Mun. Gildh. Lond.,ll,ii,682-3,690.

ones, except that decreeing Gavaston's exile, which had been carried out. With an unwilling king as the sole guarantee of their enforcement, the baronage might therefore have spent its strength indefinitely in the drawing up of Ordinances and additional Ordinances, if Edward had not reacted so violently towards Gavaston's exile. The magnates were not alone in regarding the twentieth clause as the most important. To Edward, the fact that the Ordainers were able to trespass on his prerogative to the extent of depriving him forever of the society of his closest friend doubtless magnified the importance of the baronial policy as a whole, for he must naturally have thought that if they could thus regulate his circle of acquaintance, there was nothing they could not do. In these circumstances, it must have been a sorely perturbed Edward who set about making preparations for his brother Peter's third exile.

It is remarkable that the magnates made no provision for Gavaston's support during what they intended as his life-exile. Perhaps they thought that by this time he had amassed suffient wealth to maintain himself for the rest of his life.[1] Edward, however, seems to have shouldered the burden of contributing to his friend's maintenance, for there is a mandate dated 23 November, which orders Thomas de la Hyde, the king's steward of Cornwall, to levy all the money he can from the lands of the earldom of Cornwall in his custody as quickly as possible and to deliver it to the king by the agency of Edmund Hakelut,

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[1] V. supra, p.174 for the suggestion that Gavaston employed the Frescobaldi to transport his wealth abroard for him on this occasion.

Gavaston's steward.[1] There is nothing to show what became of this money, but it is tempting to suppose that the king gave it to his favourite. Of far more importance than material provision for Gavaston's exile, however, was Edward's attempt, directly he had reluctantly given his assent to it, to procure its annulment. This he did by sending Gavaston's nephew, Bertrand Calhau to Rome again[2] in October, 1311, to place before the Pope the case for Edward and his favourite,[3] doubtless with a view to the lifting of the ban of excommunication on Gavaston if he returned without the barons' consent. Evidently the king had no more intention of keeping his promise to the magnates in October, 1311, than he had had in June, 1308. Nothing illustrates Edward's bad faith so well as his machinations for his favourite's return immediately after he had agreed to his perpetual exile.

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1 C.Cl.R., 1307-13, p.382; v. supra, p.122 and note 4.

2 V. supra, pp.266, 278 for Bertrand's first visit to Rome as his uncle's proctor.

3 A.P. 286/14296.

Chapter Vll.

Gavaston's Execution and its Results.

a) Gavaston's final exile: his return and execution.

Throughout the period from Edward's departure from Scotland to the publication of the Ordinances, Gavaston seems to have remained in the north. Now that his exile had been decreed, however, it was imperative that he come south as soon as possible. The king therefore ordered him to come to court, and on 8 October, letters of safe conduct were issued to cover him and all those in his company.[1] These letters were valid only until 1 November, the date fixed for Gavaston's departure. Gavaston, however, remained with the king until 4 November, and then left from the Thames, not from Dover, the appointed place of departure.[2] His elder brother, Arnold William of Marsan returned to Gascony later in the month.[3]

Gavaston's refuge on this occasion is not known with certainty, though the probability is that it was Flanders. On 9 October, Edward had written to his sister, Margaret, duchess of Brabant, and to her husband, the duke, asking them to receive Gavaston favourably and to treat him well during his stay in their territory.[4] From a later record of payment to a falconer, too, it seems that Gavaston spent at least some period of his brief exile in Flanders.[5] Trokelowe states that

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1 Fœdera, ll, i, 143; C.P.R., 1307-13, p.393.

2 Ann.Lond., i, 202; cf. Ann.Paul., i, 271.

3 For the king's gifts to Arnold William and his suite on their departure, v. supra, pp.161 and notes 6 and 7, 163 and note 1.

4 Fœdera, ll, i, 144; C.R. (cl.), 1307-13, p.441.

Gavaston went first to France, but was obliged to flee on hearing that Philip had given orders for his arrest and detention, in order that he should never again return to England to harass his daughter, the queen:[1] he accordingly fled into Flanders, always seeking rest, but never finding it. Other contemporary chronicles are unanimous in giving Flanders as his destination,[2] the Annales Paulini even specifying the exact place, Bruges.[3] In any case, it is unlikely that Gavaston would have chosen to stay in France, for not only was he well aware of how inimical Philip IV was towards him, but he must also have heard by this time that Philip had tried to prevent Bertrand Calhau from laying his uncle's case before the Pope,[4] by detaining him in prison.[5] It is not unlikely, however, that he passed through France, both on his outward and on his return journey, for John of Sandale made two visits to the French court to obtain letters of safe conduct for him.[6]

Gavaston's departure did little to relieve the situation in England. By a mandate of 16 November, a tournament at Northampton was prohibited,[7] whilst later in the month, the

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5 (contd.) £4.13s.9d. was paid the falconer as his wages from 8 July to 10 November, 1312, during which time he was in Flanders fitting two falcons to fly. The falcons had belonged to Gavaston, and it is tempting to think that he left them behind on his return home. On 18 November, Edward gave these falcons to the earl of Pembroke. (Exch. K.R. Accts 375/8, f.44)

1 Annales, p.69.

2 Ann.Lond., i, 202; Vita Edw., ii, 174; Ann.Hib., p.340. Cf. also Chron.Melsa, ii, 327; Bk of Howth, p.128; Knighton, i, 408.

3 i, 271.

4 V. supra, p.315.

5 Exch. K.R. Accts 375/8, f.12.

6 Cott.Ms. Nero C viii, f.65. John's first journey took him from

earls of Gloucester, Lancaster, Hereford and Essex, Pembroke, Warwick and Arundel had to be forbidden to come to Parliament in arms.[1] Such was the tension and uncertainty, that by letters dated 30 November, search was ordered for Gavaston, who was supposed to be wandering about in Cornwall, Devon, Somerset and Dorset.[2] This last precautionary measure is typical of the mistrust in which the magnates held the king at this time. It may, of course, have been intended as a deterent, but, if so, it signally failed in its object.

The exact date of Gavaston's return is unknown, but it was more probably after Christmas than before.[3] He was certainly not with the king on 23 December, for on that date a messenger of his received £1 from Edward towards the expenses of returning to him with a letter from the king.[4] Possibly he was in England by that date, but if the king knew this, it was to his interest to proclaim his favourite's reinstation as soon as possible, for he knew that, if captured, he would be treated a public enemy.[5]

There seems little doubt that Gavaston returned to

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6 (contd.) 7 October to 23 November, 1312. He received £14 in wages for himself and his retinue.

7 Fœdera, II, i, 149.

1 By letters dated 28 November. (ibid., p.151; Rot.Parl., i, 447.)

2 Fœdera, II, i, 151; C.P.R., 1307-13, p.405.

3 According to Ann.Lond. (i,202), Gesta Edw. (ii,41) and Vita Edw. (ii,174), Gavaston returned before Christmas; The St Paul's annalist, however, says he returned after Christmas (i,271), and is supported by Knighton (i,408), though this latter chronicler puts the date of Gavaston's return far too late, about 2 February.

cf. also Trokelowe (p.69)

4 Cott.Ms. Nero C viii, f.84.

England at Edward's request.[1] Trokelowe represents him as returning on his own initiative, relying on the good-will of the king and the earl of Gloucester to protect him.[2] Against this, however, is the testimony of the mandates of 18 January, 1312, decreeing Gavaston's acceptance as a good and loyal subject,[3] together with the fact that it was the king who sent John of Sandale to Paris again to renew Gavaston's safe-conduct.[4] It might also be added that Gavaston would hardly have nominated Robert of Kendal, William of Vaux, Roger of Wellesworth and John of Hothum as his attornies for five years, and procured letters of protection for himself for a like period, if he had intended remaining abroad only a few months.[5] The story in the Vita Edwardi of how Gavaston, before his departure, procured litteras regis bonae conversationis et fidelitatis testimoniales which were sealed by many nobles as well as the king, confirms the belief that he believed himself to be leaving England, if not for ever, at least for some considerable time.[6] According

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5 (contd.) The author of the Vita Edwardi (ii,174), however, states that after Gavaston's return, nunc in camera, nunc apud Walyngford, nunc in castello de Tyntagel latere putabatur. Cf. Chron. Melsa (ii,327) and Knighton (i,408).

1 V. Knighton, i,408; Flores Hist., iii,334.

2 P.69.

3 Fœdera, II, i, 153-4; C.Cl.R., 1307-13, p.449.

4 Cott. Ms. Nero C viii, f.65. On this occasion, John remained abroad from 1 December to 13 January and received £14.13s.4d. for himself and his companions.

5 C.P.R., 1307-13, p.397. These letters were made out on 22 October, 1311.

6 ii,174. According to this account, Gilbert of Gloucester later pleaded his minority as an excuse for withdrawing his

to this account, the king recalled Gavaston to spite the barons and to circumvent their designs for removing Gavaston's followers from the court lest they should procure his recall, complaining that, by not allowing him the right to regulate even his own household, they were treating him like an idiot.[1]

Such may well have been Edward's ostensible reason for recalling his favourite, but Conway Davies has shown how little real cause he had for complaint.[2] If the Ordinances were not exactly a dead letter,[3] their application was very limited in its extent. The king never lost control over the Great Seal, and his right to appoint by warrant of Privy Seal was never in abeyance.[4] No changes at all were made in the household staff[5] and even in the matter of public appointments, the barons failed to impose their will on the king, who insisted, for example, in appointing Walter Langton, Bishop of Coventry and Lichfield, as Treasurer in opposition to the baronial nominee, Walter of Norwich.[6] Edward's recall of his favourite was thus in keeping with his general attitude towards the Ordinances.

By a letter of 18 January, the king ordered the public

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6 (contd.) seal from these letters.

1 ii, 174.

2 Op.cit., pp.385-92.

3 V. Murimuth, p.15, for the king's disapproval and non-observance of the Ordinances.

4 Conway Davies, p.387. Of seven appointments to the custody of castles made under the Great Seal between 28 September and 1 October inclusive, three were to members of the court party, Richard Damory being put in charge of Oxford castle, Edmund of Mauley, of Bridgnorth, and Robert Lewer, of Odiham. (C.R.R., ii, 103)

5 Tout, Chapters, ii, 196.

6 Norwich was appointed on 23 October,

proclamation of Gavaston as a good an loyal subject who had returned from exile by his command and was now ready to stand his trial on oath against his accusers, according to the laws and customs of the realm.[1] This was the prelude to a decree ordering the observance of the Ordinances in a restricted form. Edward by now considered himself in a strong enough position to throw off all semblance of deference to baronial restraint. Hence the issue, on 26 January, of letters directed to the sheriffs, commanding the enforcement of the Ordinances, only in so far as they were not prejudicial to the king.[2]

Both these writs were issued from York, to the comparative security of which Edward had withdrawn from Windsor, on his favourite's return. Gavaston's position was now infinitely more dangerous than it had been after his recall from Ireland, for now his safety had not been assured by papal absolution from the sentence of excommunication which he was to incur ipso facto on his return to England.[3] With Gavaston in continual

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6 (contd.)
1311, Langton, on 23 January, 1312. (C.P.R., 1307-13, pp. 396, 413) For the ensuing struggle between king and barons, v. Conway Davies, pp. 389-92. For taking the king's part against the Ordainers, Langton was excommunicated by the Archbishop. (Flores Hist., iii, 148-9; Murimuth, p. 18) On 1 May, Langton set out to lay his case before the Pope. Between then and 4 February, 1313, Edward sent five letters to the Pope on his behalf (Fœdera, II, i, 171, 178, 179, 189, 199), but his efforts were of no avail, for Norwich was kept in office by main force. On 30 April, 1313, letters of protection were granted to Langton, who was stated to be staying in Rome on the king's business. (ibid., p. 209) Edward also dispensed with a Chancellor during this period. (Tout, Chapters, ii, 197)

1 Fœdera, II, i, 153; C.Cl.R., 1307-13, p. 449.

2 Fœdera, II, i, 154; C.Cl.R., 1307-13, p. 449.

3 "Excommunications are also divided - and this is a most impor-

danger of public excommunication, it was essential that Edward should endeavour to shelter him from the possible consequences of this disadvantage: by migrating northwards he hoped to minimise the exploitation of his favourite's social ostracism. It was from York, too, that mandates were issued to the sheriffs on 20 January, ordering the restoration of Gavaston's property.[1] In the enrolment, these writs are followed by a memorandum that they were drawn up in the king's presence under threat of forfeiture and that the king retained them after they were sealed. The enrolment of the mandates of 18 January, ordering the proclamation of Gavaston's reinstation, had been followed by a similar memorandum that they had been dictated by the king himself, who had supervised the sealing of them and afterwards placed them on his bed.[2] By these means the chancery clerks evidently tried to dissociate themselves as far as possible from the king's flagrant breach of the Ordinances.

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3 (contd.)

tant distinction - into those *ferendae sententiae* and those *latae sententiae*. In the case of the former, it is enjoined that a sentence of excommunication be pronounced (e.g. "we forbid this on pain of excommunication; whoever does it, let him be excommunicated" or "will incur excommunication," etc.), but the delinquent does not actually incur the sentence until it has been inflicted by a competent judge. In the second case, the words of the law or other instrument are so chosen that upon a given act being done, the doer of it falls at once under the ban of the Church, as when it is said - "let him incur excommunication *ipso facto*" ..... At the same time, the excommunication *latae sententiae* is operative only in the internal forum and in the sight of God; and to make it effectual in the external forum also, it is necessary that the guilt be proved before, and declared by a competent judge." (Addis and Arnold, *A Catholic Dictionary*, (1928)) In Gavaston's case this competent judge was Winchelsea. (*v.* *infra*, p. 327.) The proper ceremony for excommunication included the ringing of bells and the lighting and extinguishing of candles; it was usual to perform excommunications during the celebration of Mass on Sundays and Feast Days. Instructions for the proper observance of the rite are to be found in the *Liber Ecclesiae Wigorniensis*, p.32; *Registrum Roberti Winchelsey*, iii, 268-

Gavaston's restoration was officially proclaimed in the Guildhall at London on 29 January, 1312.[1] This naturally provoked a storm.[2] By letters dated from Knaresborough on 9 January, Edward had ordered the mayor and the sheriffs of London to prohibit the entrance of armed men into the capital, but this order was utterly disregarded. When the barons heard of the king's treachery in recalling Gavaston in the teeth of both the first and the second Ordinances, they met at St Paul's and deliberated on the course of action to follow.[3] To save his face, therefore, the king wrote to the mayor and sheriffs on 31 January, informing them that the magnates were perfectly free to enter the city, provided they came unarmed and with honest intentions.[4] The

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3 (contd.)
72; and the Registrum Walteri Reginaldi, pp.28,29,37,43.

1 (contd.)
Fœdera, II, i, 154; C.Cl.R., 1307-13, p.449.

2 (contd.)
Fœdera, II, i, 153; C.Cl.R., 1307-13, pp.448-9.

1 Ann. Paul., i, 271.

2 Parl. Writs, II, ii, app., 44; Ann. Lond., i, 203. Similar orders were sent to all the other cities and seaports. The precautions taken by the city of London took the form of ordinances which were published on 19 January. (Parl. Writs, II, ii, app., 44)

3 Ann. Lond., i, 203.

barons were allowed to continue their discussions uninterrupted, for on 20 November, 1311, Edward had postponed the Parliament that was due to meet the following 13 February, pleading that he was unable to attend.[1]

Meanwhile Edward in the north was taking precautionary measures against a possible baronial attack. On 28 January, he commissioned William of Montacute and Master John of Percy to view the castles of Hastings, Porchester, Old Sarum, Bridgnorth, Bedford, Buckingham, Colchester, Orford, High Peak and Somerford and their defences and munitions: those castles without keepers they were to entrust to trustworthy men of the surrounding districts.[2] Edward also gathered an army at York,[3] strengthened the fortifications of the castle there[4] and appointed Gavaston as *custos* of both Carlisle and Scarborough castles,[5] so that he might have a choice of refuge in the north. At the same time he seems to have continued interceding with the Pope on Gavaston's behalf, for in February, he sent letters to Clement and to Bertrand Calhau.[6] The importance the king attached to Bertrand's mission can be gathered from his emissary's lavish expenditure on this occasion. Not only did Ber-

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4 (contd.)
Parl. Writs, II, ii, app., 44. On 21 January, the king had declared his confidence in the city and exhorted the authorities still to keep it for his use. He had written in the same vein to various prominent private citizens and had sent fresh writs to the mayor and sheriffs on 26 January. (ibid., pp.44-5) Further ordinances for the safe-keeping of the city were drawn up on 5 February, and the king duly notified of them. (ibid., pp.45-6) Three days later, the king drew up further instructions for the mayor and sheriffs. (ibid., p.46; Foedera, II, i, 156)

1 Parl.Writs, II, ii, app., 46. 2 C.P.R., 1307-13, pp.469-70.

3 Eight of Gavaston's archers, for example, were sent from Wind-

trand spend £1,253.6s.8d. of his own money:[1] he borrowed a further 3,050 gold florins to expedite the king's business.[2] Despite this huge outlay, however, Edward seems never to have entirely discounted the possibility of the failure of his representations to the Pope, for in March, he sent one of his yeomen to Gavaston to help him with his affairs, possibly with a view to Gavaston's departure from the kingdom again if the negotiations at Rome broke down. This same yeoman was then sent to Rome, perhaps with another letter to Bertrand Calhau, and from there to Flanders, on secret business which concerned both the king and his favourite.[3] As Thomas de la Hyde had delivered £853.6s.8d. to Bertrand Assaillit and Bernard of Marsan by Gavaston's command, the previous 6 February,[4] it seems not unlikely that this 'secret business' was in reality the search for a safe place abroad to serve as a refuge for Gavaston if the barons rose against the king.

During most of the time Edward was in York, Gav-

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3 (contd.) sor: on 23 January, they received 1s. for their expenses. (Cott.Ms. Nero C viii,f.86v.)

4 By a mandate of 22 January, orders were given for the transport of 100 oaks to York castle. (C.Cl.R.,1307-13,p.393)

5 The appointment was made on 31 March,1312. (C.F.R.,ii,129)

6 Exch. K.R. Accts 373/26,f.51v.

1 V. supra,p.168 and note 4.

2 On 6 December,1312, and again on 28 November,1313, the king acknowledged his indebtedness to James of Peruche, the lender, for that amount, each florin being reckoned at 4s. sterling. (C.P.R.,1307-13,p.514, 1313-17,p.45) Bertrand must therefore have spent over £2,000 on this one mission.

3 Cott. Ms. Nero C viii,f.88.

4 V. supra,p.174 and note 4.

aston was probably with him. It was at York that a daughter, Joan, was born to Gavaston.[1] His wife, Margaret, was churched in the Franciscan convent there on 20 February, in the presence of the king and many others.[2] By the middle of March, however, Gavaston had left the king, for on the 16th, Geoffrey of Sellingges, one of his bachelors, received the enormous sum of £50 for bringing good news of him to the king.[3] Gavaston must by this time have decided on Scarborough castle as his place of refuge, for on 17 March, forty-eight men-at-arms and foot-soldiers, these including four of Arnold William of Marsan's squires,[4] were sent there to strengthen the garrison.[5] Through out the months of May and June, too, Scarborough was the scene of extensive repairs and additions, these costing £69.3s.8d.,[6]

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1 The canon of Bridlington (Gesta Edw.,ii,42) suggests that it was on this account that Edward and Gavaston remained so long at York.

2 On this occasion, the minstrel, king Robert, and his fellows were given 40 marks by the king for their performance. (Cott. Ms. Nero C viii, f.84v.) The previous 5 February, Agnes, Gavaston's former nurse, had received a present of £6.13s.4d. from the king. (ibid.,f.87v.)

3 Ibid.,f.84. Three days later, Peter of Midelham, one of Gavaston's garciones was given ½ mark for leading a dappled charger from Gavaston to the king. (ibid.,f.85v.)

4 Arnold William had evidently returned from Gascony. He was granted three prests about this time, one of 10 marks, the second, of £20 and the last, of £30. (Exch. K.R. Accts 373/26, f.49, 374/20,mm.2,5; I.R. 159,m.5)

5 Exch. K.R. Accts 14/21. The list comprises five membranes and includes the name of Raymond Calhau; cf. ibid.,373/26,f.79; Cott. Ms. Nero C viii,f.86v. Altogether there seem to have been about 120 men in the garrison at Scarborough. Exch. K.R. Accts 373/26,f.53 gives the names of 31 and ibid.,f.65 mentions 23 others; cf. also ibid.,374/20,m.1.

6 Ibid.,m.1; 373/26,f.51; Cott. Ms. Nero C viii,ff 59,65v.

whilst a further £95.3s.6d. was spent on stores.[1] Probably the fortification of Scarborough castle was supervised by Gavaston himself: when he rejoined the king, Edward, on 31 April, appointed as custos[2] one of his sergeants-at-arms, Taillefer de Til.

Similar warlike activity resulted from the baronial deliberations in the south. As an earnest of their determination to compel the king to observe the Ordinances in general and Ordinance 20 in particular, the barons got Winchelsea solemnly to publish the sentence of excommunication against Gavaston.[3] Then the earls of Lancaster, Pembroke, Hereford, Arundel, Warwick[4] and Warenne, which last had been won over by the representations of the Archbishop,[5] formed a mutual confederacy, to which Gloucester, though not a member, was also a party, for he promised to ratify whatever the others should decide on. As a last effort for peace, Thomas of Lancaster, the leader of the opposition,[6] sent messengers to the king at York, earnestly requesting him either to surrender Gavaston to them or to order

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1 Exch. K.R. Accts 374/20,m.2. V. also ibid.,m.1 for the cost of provisioning Dover castle and repairing Knaresborough.

2 Cott. Ms. Nero C viii,f.98. Apparently John of Rolleston, the chaplain there (Exch. K.R. Accts 373/26,f.73) was regarded as co-keeper: their joint account for the castle from 5 to 9 Edw. II appears in ibid., 14/24, but contains nothing relevant to the garrisoning or siege of Scarborough. In December,1312, Sir Anisantius of Savino, one of Gavaston's knights, is referred to as constable of the castle. (ibid.,373/26,f.51)

3 Vita Edw.,ii,175.

4 Ibid.,p.175; cf. Flores Hist.,iii,149.

5 Trokelowe,p.74.

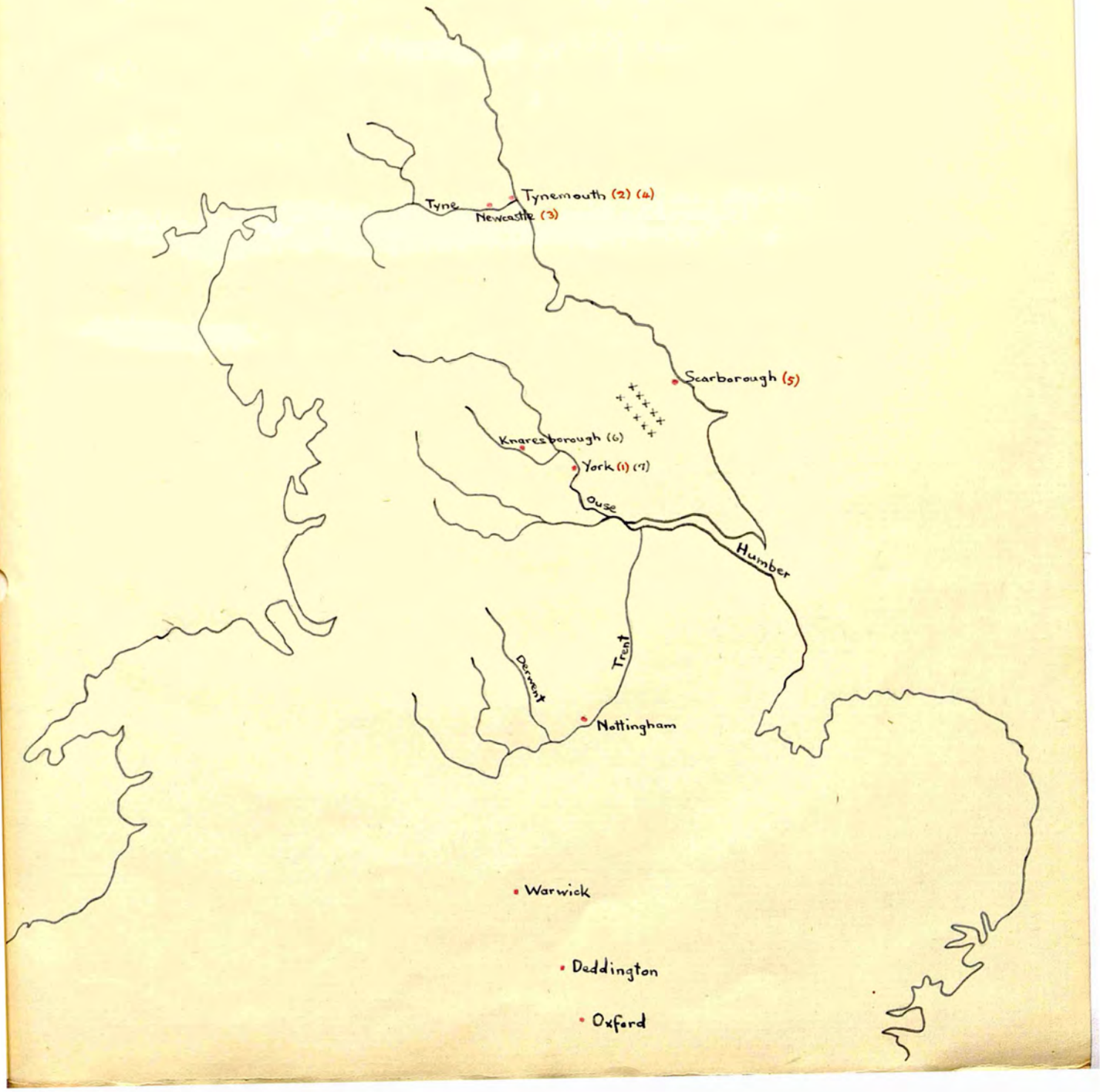
6 Ibid.,p.72. He is here described as strenuus in militia, maturusque in consiliis, but the chronicler nevertheless alleges that on his death-bed, Lincoln advised him to be guided

Sketch map to illustrate the flight of Edward and Gavaston from the barons, January - May, 1312.

Places visited by Edward and Gavaston shown chronologically thus: (1)

Places visited by Edward alone shown thus: (6)

Lancaster's army during the siege of Scarborough shown thus: ××××× ×××××



him to leave England.[1] Edward, however, rebuffed any suggestion that he should be parted from his favourite. All that this delegation did, therefore, was to warn the king and his courtiers of their immediate danger. Edward must have realised all along that York was no place to stand a siege, so he and his followers now withdrew to Newcastle.[2]

As the king would not yield to sweet reasonableness, the magnates determined to enforce their will on him even at the risk of civil war. They therefore elaborated a plan, by which the command of the south of England was given to the earl of Gloucester,[3] whilst Essex and the east was entrusted to Hereford and the west and north Wales, to Lancaster.[4] As it was feared that Edward and Gavaston might seek the assistance of Robert Bruce,[5] Robert Clifford and Henry Percy were appointed to keep watch between Scotland and England.[6] The actual capture of Gavaston was the charge of the earls of Pembroke and

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6 (contd.)
in all things by Guy of Warwick, qui prae caeteris paribus suis sano consilio et maturitate pollet, ac circa regni utilitates profundius tractat. (p.73) Chron. Melsa (ii,326) also implies that Lancaster was the barons' leader.

1 Trokelowe, p.74.

2 Ibid.; Ann. Lond., i,271; Gesta Edw., ii,42; Chron. Melsa, ii,327. They went viâ Tynemouth, the masters of the two ships engaged in their transportation receiving £1 each as their fee. (Cott. Ms. Nero C viii, f.86) Apparently the king had originally intneded to go to Durham, for there are writs dated 1 April for the purveyance of flesh and fish for his use on his way there. (C.P.R., 1307-13, p.450)

3 The south of England included Kent, Sussex, Surrey and the city of London. (Ann. Lond., i,203)

4 Ibid., i,204.

5 According to the Vita Edwardi (ii,175), Edward made Bruce an offer of the kingdom of Scotland, if he would shelter him and

Warenne, who were to advance at onee against the king and his favourite.[1] To muster their forces without raising the king's suspicions, the earls hit on the ruse of proclaiming tournaments throughout the country, this affording an excellent pretext for their moving from place to place with miniature armies which grew steadily larger.[2]

Possibly the London annalist is wrong in stating that the earl of Lancaster was given the western command, or perhaps earl Thomas exceeded his commission. Whatever the reason, it was Lancaster, not Pembroke and Warenne, who marched north against the king. Edward meanwhile had been making preparations to counter the baronial attack. Before he withdrew to Newcastle on 10 April,[3] he had made various attempts to strengthen Gavaston's position in the north and to increase his own forces. On 3 April, he had again appointed Gavaston as justice of the forest north of Trent[4] and keeper of Nottingham

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5 (contd.) his favourite until the trouble with the barons had subsidied, but Bruce refused the king's offer on the grounds that Edward would never keep a pact with him when he was so ready to break the oaths made to his own liege-men.

6 Ann. Lond., i, 204.

1 Ibid.

2 Vita Edw., ii, 176. By letters of 23 February, the sheriffs had been ordered to make public proclamation for the preservation of peace. These orders were reiterated on 28 March, whilst two days later it was forbidden to go about the country armed. (Fœdera, ll, i, 159, 161, 162) Evidently the king's suspicions must have been aroused. Murimuth (pp.15, 16) says there was great fear of general war; cf. also Flores Hist., iii, 334.

3 Chron. Melsa, ii, 327.

4 Fœdera, ll, i, 163; C.P.R., 1307-13, p.451.

castle,[1] whilst the following day he had solemnly charged him to deliver Scarborough castle to no-one but the king, and not then, if the king were a prisoner.[2] Then on 5 April, Edward had written to Amanieu d'Albret, ordering him to come to England to counsel the king, and to Gaston of Foix and Béarn and one hundred and twenty-three others, bidding them be prepared to assist him, when needed, with properly equipped companies of men-at-arms, and to notify him of the number of men they would be able to bring.[3]

What Edward never seems to have realised, was the imminence of his danger. Long after the barons had decided on forcing the issue, he was apparently still hoping for a peaceful settlement of the matter, for by letters patent of 8 March, he appointed thirteen persons to confer with the Ordainers with a view to amending the Ordinances so that they should not clash with his prerogative: all the earls and barons of the realm, as well as certain Bishops, were notified of this commission,[4] but, in the circumstances, such an untimely attempt at arbitration was bound to prove futile. Once the barons had formulated their plans, they seem to have acted swiftly. Hence Lancaster was close on Edward's heels before the royal party had made any effective preparations to meet him.[5] Edward and his followers

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1 C.F.R., ii, 130. This appointment was made at Gavaston's request.

2 C.P.R., 1307-13, p.454.

3 Fœdera, II, i, 163; C.Cl.R., 1307-13, pp.457-8.

4 Foedera, II, i, 159; Rot. Parl., i, 447; Statutes, i, 167.

5 Possibly Edward's unpreparedness was due in part to the fact

had therefore no option but to retreat ignominiously before the advancing baronial army. They accordingly left Newcastle for Tynemouth at the end of April, being joined there later by Edmund of Mauley, the steward of the king's household, who took the Great Seal with him.[1] On the very afternoon of the day of Edmund's departure, 27 April, a great armed force under Lancaster, Henry Percy and Robert Clifford entered Newcastle without opposition[2] and captured ninety-seven chargers and all the treasure and men which Edward and Gavaston had left there.[3] Lancaster remained in Newcastle only four days. Hence Edward and his favourite were obliged to leave Tynemouth on 5 May and retire to Scarborough by boat.[4]

Edward seems now to have decided that his best course was to leave Gavaston at Scarborough while he tried to raise sufficient forces to stem Lancaster's advance: he was apparently unaware that Lancaster's was not the only army in the field, and that, by thus retreating from Scarborough, he was

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5 (contd.) that Gavaston was ill at Newcastle. Master William of Burntost and brother Robert of Birmingham, a monk of Tynemouth, were each paid £6.13s.4d. for looking after him. (Cott. Ms. Nero C viii,f.86) Edward seemingly made some attempt to find provisions for his household and army, for various orders for purveyance were issued from Newcastle. (C.P.R., 1307-13, pp.455, 456)

1 Fœdera, II, i, 169; C.Cl.R., 1307-13, pp.459-60; Ann.Lond., i, 203.

2 Fœdera, II, i, 169; C.Cl.R., 1307-13, pp.459-60; Ann.Lond., i, 203.

3 Ann. Lond., i, 203. The horses included one which the king had given to Arnold William of Marsan, who was given £50 in compensation for its loss on 27 October, 1312. (Cott.Ms. Nero C viii,f.87) Evidently Arnold William was by his brother's side during this crisis.

4 Ann. Lond., i, 203; Chron. Melsa, ii, 327. The canon of Bridlington (Gesta Edw., ii, 42) gives the date of the flight as 10 May.

leaving his favourite to be besieged. The king accordingly withdrew first to Gavaston's manor of Knaresborough[1] and then to York again, which he reached by 17 May.[2]

Directly Edward quitted Scarborough, Pembroke and Warenne, together with Henry Percy and Robert Clifford, laid siege to the castle,[3] whilst Lancaster manœuvred his army so that it lay between York and Scarborough.[4] Being prevented by Lancaster's strategy from marching to Gavaston's relief, Edward, on 17 May, wrote to those who were besieging Scarborough, commanding them to desist on pain of forfeiture, for he was satisfied of the loyalty of those who held it for him.[5] Naturally the king's orders went unheeded. The siege, however, continued only for two days longer. Gavaston, knowing the castle to be inadequately provisioned and fortified for a long siege, sent for Pembroke and offered to surrender on his own terms. According to the writer of the Vita Edwardi, Pembroke was so pleased by this, that he agreed without even consulting his companions, and pledged his lands and properties to the king as an earnest of his keeping the bargain.[6] An agreement was

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4 (contd.)
Trokelowe (pp.75-6) states that the queen remained at Tynemouth throughout this time and, on Edward's departure for Scarborough, pleaded with him to stay with her.

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The London annalist says that Edward went first to Bromholm. (i,203) Gavaston's cursor, William of Nottingham, received a present of 10s. from the king for bearing letters from Gavaston to Knaresborough and returning with letters from the king. (Cott. Ms. Nero C viii,f.88) Apparently there was a constant interchange of letters between Gavaston and Edward during their separation. (v. also ibid.,f.107v; Exch. K.R. Accts 374/8,f.25) Letters were also exchanged between the king and Bertrand Calhau. (Cott. Ms. Nero C viii,f.88) On 10 May, four of Gavaston's archers received a present of £1 from the king at Knaresborough. (ibid.,f.87v.)

accordingly drawn up between Gavaston on the one hand and the earls of Pembroke and Warenne and Sir Henry Percy on the other,[1] by which Gavaston was to be conducted to the abbey of Our Lady of Warwick, where he was to have an interview with the king in the presence of the earl of Lancaster or his proxy and show him the terms of the agreement. Then, if the king were willing, a parley was to take place at the beginning of August, until which time Gavaston was to remain in the custody of the baronial party, and after which, if a satisfactory arrangement were not found, he was to be restored to Scarborough castle, which in the interim was not to be reinforced with men, arms or provisions,[2] though the garrison were to be allowed to purchase

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2 (contd.)
Edmund of Mauley joined him there with the Great Seal on that day. (Fœdera, II, i, 169; C.Cl.R., 1307-13, p.460)

3 Ann. Lond., i, 203; Flores Hist., iii, 150; Chron. Melsa, ii, 327. Trokelowe, p.76.

4 Vita Edw., ii, 177.

5 Fœdera, II, i, 169; C.Cl.R., 1307-13, p.460. Of this letter, Dodge (p.162) remarks: "Edward's childishness was probably never more apparent than on this occasion."

6 Vita Edw., ii, 177.

1 The terms of Gavaston's conditional surrender appear in full in Ann. Lond. (i, 204-6), in Harl. Ms. 636, f.232 and in the appendix to the Literae Cantuarienses, ed. I.B.Sheppard, (1887-9), iii, 388-93, where there is also a translation. Cf. Chron. Melsa, ii, 327.

2 It is interesting to note, however, that there is a mandate dated 3 June, 1312, ordering the keeper of the manor of Burstwick to provide 300 quaters of wheat out of the issues of his bailiwick and to deliver them to the constable of Scarborough castle. (C.P.R., 1307-13, p.461; cf. ibid., p.464)

provisions in the town and to fill the gaps in their ranks.[1] The alacrity with which Pembroke agreed to what one chronicler aptly describes as submissio magnatum facta Petro de Gavestone[2] seemed suspicious to many of his contemporaries and it was currently rumoured that he had been bribed.[3] This stipulation that Gavaston should be returned to Scarborough castle in pristinum statum,[4] however, has its counterpart in Henry lll's reign, when Richard Marshal voluntarily surrendered to the king a certain castle of his which Henry was besieging, on condition that it should be restored within fifteen days.[5] True, the attendant circumstances were different,[6] but it is evident that such agreements were not unknown to the medieval mind.

The king naturally assented to terms so favourable to his favourite,[7] for, according to the Vita Edwardi,[8] he hoped to procure the assistance of Philip lV and the Pope in subduing his rebellious baronage, by granting them Gascony in

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1 An Englishman was to replace an Englishman, a Gascon, a Gascon.

2 Harl. Ms. 636, f.232.

3 Robert of Reading (Flores Hist., iii, 151) alleges that the king bribed him with £1,000. The Tintern version (ibid., iii, 336) states that the bribing came from Gavaston. According to the Gesta Edw. (ii, 42) the suggestion that Gavaston should surrender and the proposed terms, proceeded from the besiegers, who invited him to come and parley with them in the Dominican church at Scarborough, where Pembroke, Warenne and Henry Percy swore before the Blessed Sacrament, that they would keep him safe if he would entrust himself to them. It seems unlikely, however, that such terms should have come in the first instance from the besiegers: but cf. Baker, p.5; Harl. Ms. 636, f.232.

4 Vita Edw., ii, 177. The entry continues et ad sororem quam prius reliquerat.

5 Rogeri de Wendover Flores Historiarum, ed. H.G.Hewlett (R.S. 1889), iii, 55-6, 57-8.

6 Richard surrendered the castle so that the king should not ap-

fee, in which case it would matter little whether he arrived at an arrangement with the magnates concerning Gavaston. In accordance with the terms of the agreement, therefore, Gavaston allowed Pembroke to conduct him from Scarborough southwards towards the convent of Our Lady of Warwick.[1] After about five days' journey, however, the party reached Deddington in Northamptonshire, a small village near Banbury and about twelve miles from Oxford,[2] where the earl suggested that Gavaston should spend the night at the house of the rector, whilst he went to visit his wife at Brampton a few miles away.[3] The author of the Vita Edwardi,[4] the Melsa annalist,[5] Geoffrey Baker[6] and the

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6 (contd.) pear ridiculous. In return for this surrender, the king undertook to take immediate measures to remedy the state of the realm. At the end of the stipulated fifteen days, Henry refused to restore the castle and Richard had to wrest it from him by force.

7 According to Robert of Reading (Flores Hist., iii, 151), it was Edward himself who proposed the terms at the request of Gavaston.

8 ii, 177.

1 Ann. Lond., i, 207; Gesta Edw., ii, 43; Vita Edw., ii, 177, according to which last account, Gavaston was led in chains. Trokelowe (p.77) wrongly states that Gavaston was being led to Wallingford.

2 Ann. Lond., i, 207; Vita Edw., ii, 177; Flores Hist., iii, 151; Harl. Ms. 636, f.232.

3 Ann. Lond., i, 207; Flores Hist., iii, 336.

4 ii, 177.

5 Chron. Melsa, ii, 327.

6 Chronicon, p.5. Baker is most scathing about Pembroke's conduct. He refers to him as Gavaston's familiarem inimicum and describes Deddington as a place ubi nec latibulum naturale nec castrum aut munimentum aliquod could protect Gavaston from the earl of Warwick.

writer of the Polistorie[1] all allege that Pembroke's desertion of his prisoner at this undefended place, was intentional.[2] Whether this was so or not, it certainly seems suspicious that Pembroke should have chosen to leave his charge unattended at a place so near Warwick.[3] As was to be expected, directly earl Guy heard of the proximity of his old enemy, he gathered a force of forty men-at-arms and a hundred foot, and proceeded to Deddington secretly.[4] Reaching there at dawn on 10 June, he surrounded the house with his men and called on Gavaston to surrender.[5] If we can believe Robert of Reading, it made no difference to Gavaston's usual air of foolhardy bravado that he was now entirely at Warwick's mercy, for when he heard his arrival outside the house, he shouted insults through the window and taunted the earl with being 'the black dog of Arden.'[6] Warwick gave his prisoner no time even to dress, but led him off to Warwick castle clad only in a tunic and with bare head and feet.[7]

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1 Harl. Ms. 636, f.232.

2 Robert of Reading (Flores Hist., iii, 151) incorrectly states that it was at Gavaston's suggestion that Pembroke left him. The St Paul's annalist (i, 271) is even further from the truth in saying that Gavaston escaped from Pembroke's custody.

3 Deddington is only about twenty-five miles from Warwick.

4 Ann. Lond., i, 206; Trokelowe, p.177; Harl. Ms. 636, f.232.

5 Flores Hist., iii, 151.

6 The Lanercost chronicler (p.216) states that when Gavaston first dubbed Warwick with this nickname, the earl replied that it would not be long before he felt the black dog's bite; cf. Vita Edw., ii, 177.

7 Ann. Lond., i, 207.

On arrival at the castle, Warwick committed his captive to the care of four jailers,[1] who bound him with chains.[2]

When Pembroke heard of Gavaston's capture, he seems to have been genuinely stricken with remorse. He first approached the other earls on Gavaston's behalf, urging that, unless his prisoner were restored to him, he would always be a figure of shame, not to mention having to forfeit his lands to the king. But they remained obdurate. Gloucester, acting as their spokesman, replied that Warwick had acted by the advice and counsel of all of them, and suggested that, in the matter of pledging his lands, Pembroke should act more cautiously in future.[3] Finding no help in that quarter, Pembroke then appealed to the University and the clergy and burgesses of Oxford,[4] but again met with no response.

Whilst Pembroke was vacillating between continuing his allegiance to the baronial opposition and joining the court party, the earls of Lancaster, Hereford and Arundel were hastening to Warwick castle to decide what should be done with Gavaston.[5] According to two contemporary chronicles, Gavaston was brought before the justices who were appointed to deliver the jail of Warwick and tried for breach of the Ordinances, for their revocation had not been published in Warwick.[6] Then, in

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1 Ann. Lond., i, 207.

2 Flores Hist., iii, 152.

3 Vita Edw., ii, 178.

4 Ibid., ii, 178-9. It is here suggested that Pembroke's motive in making this appeal was either to obtain help for Gavaston or to justify his own conduct.

5 Flores Hist., iii, 152.

6 If this is true, the omission

accordance with Ordinance 20, he was condemned to death as a traitor to the king and kingdom. These two accounts of his trial are very similar, except that in the canon of Bridlington's story the names of the justices appear as William Inge and Henry Spigurnel,[1] whilst in the Polistorie they are given as John Botetourt and his associates.[2] The Melsa annalist also states that Gavaston was tried and condemned in accordance with the Ordinances,[3] but there is no record evidence to corroborate this story.[4] Considering the circumstances of Gavaston's capture, Trokelowe's version of Gavaston's 'trial' seems the most probable. According to him, the earls had a long discussion whether to execute Gavaston at once or to fulfil their oath to the king by letting him go free, and were still undecided when vir quidem magnae auctoritatis inter eos argued that they were foolish to release the prey they had had so much trouble to catch, especially when they knew that whilst Gavaston was alive, there could never be peace or security in the realm.[5]

In any case, whatever the attendant circumstances, we know that Gavaston's execution must have been decided on at

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6 (contd.) to proclaim the revocation of the Ordinances in the county of Warwick was probably intentional, for the sheriff of Warwick at this time was a member of the earl's household, and the earl's power within the county was so great that a short time before he had procured the dismissal of a corroner who was favourable to the king. (C.Ch.W.,i,271)

1 Gesta Edw.,ii,44.

2 Harl. Ms. 636,f.232. This chronicler adds, however, that John and his fellows were appointed by the earls to try Gavaston.

3 Chron. Melsa,ii,327-8.

4 There is no mention of any such trial in those Gaol Delivery Rolls where it might be expected to appear - 29a,31,110,111 and

least the day before it actually took place, for there is a bond of maintenance, dated 18 June, 1312, by which the earl of Warwick undertook to support the earl of Hereford and Essex, against the king and all others in the matter of the Gavaston crisis.[1] Apparently it was only after being sentenced to death, that Gavaston realised his danger. The Vita Edwardi[2] relates that when he heard the sentence pronounced on him, Gavaston lamented his false friends and admitted that his pride had brought him to that pass, and, when handed over to Thomas of Lancaster for execution, begged him for mercy, but was refused. During Gavaston's execution, Warwick remained at the castle,[3] from which Gavaston was led out on the morning of 19 June, after an imprisonment of about three weeks. The site chosen for his execution, which, out of deference to his brother-in-law, Gilbert of Gloucester, was to take the form, not of hanging and drawing, but of beheading,[4] was a small hill between Gaversike and Blacklow, which was not far from Warwick, yet within the fief of the earl of Lancaster. Gavaston was escorted there by the earls of Lancaster, Hereford and Arundel, who were accompanied by a great

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4 (contd.)
112 - though the record of it may easily have been lost. Unfortunately the Gaol Delivery Roll for Warwick for this year is not extant. We know, however, that from 3 to 9 Edw. 11, William Inge and his fellows were delivering the jails of Surrey and Sussex. (G.D.R. 111)

5 P.77.

1 Cal. Doc. Scot., iii, 54.

2 ii, 179-80.

3 Ann. Lond., i, 207; Vita Edw., ii, 180.

4 Vita Edw., ii, 179.

mob of people shouting and blowing trumpets, and on arrival, was stabbed to the heart and his head struck off by two Welshmen.[1]

Accounts differ concerning what happened to Gavaston's body immediately after his execution. According to the Annales Londonienses,[2] four shoemakers carried it to Warwick on a ladder to be buried, but the earl ordered it to be taken outside his fief again and it was carried back: the Dominicans then took it to Oxford and cared for it honourably. Other accounts state that the Dominicans took charge of the corpse immediately.[3] Whether it was carried there at once or not, however, we know that Gavaston's body eventually found its way to the house of the Friars Preachers at Oxford. The brethren could not bury the body as Gavaston had died excommunicated,[4] but they clothed it in cloth of gold, preserved it with balsam[5] and spices and kept constant watch by it for nearly a month.[6]

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1 Ann. Lond.,i,207; Ann. Paul.,i,271; Gesta Edw.,ii,44; Vita Edw. ii,180; Chron. Melsa,ii,327-8; Scalacronica,p.140; Ann. Bermondsey,p.469; Eulogium Historiarum,pp.194,307; Livere de Reis,p. 328; Trokelowe,p.77; Knighton,i,408-9; Baker,p.5; Flores Hist., iii,153,336; Ann. Worcester,p.560; Ann. Clonmacnoise,p.267; Aungier, Croniques,pp.36-7; Clyn, Annals,p.11; cont. of Trivet, p.9; Harl. Ms. 636,f.232. The most circumstantial account of Gavaston's death is given by the biographer of Clement V (Vitae Paparum,i,46), who states that, when Gavaston saw his end approaching, he asked a friar to hear his confession, after which he called the barons to him and forgave them all, except those who had accused him de infami peccato. He then asked them to appoint chaplains to celebrate mass in perpetuity for his soul, and five of them promised to do so. He next placed himself in a litter and ordered the friars to celebrate a requiem mass for him whilst he was still alive. Finally he asked the magnates to see that he was stabbed to the heart before being beheaded, and this was done.

2 i,207.

3 Ann.Paul.,i,271; Gesta Edw.,ii,44; Flores Hist.,iii,153,336. Adam Murimuth states that one of the friars carried Gavaston's head to the king in his hood (p.17), but in the Vita Edwardi the Dominicans are stated to have sewn it on to his body.(ii,180)

Gavaston's body remained at Oxford for over two years, during which time it was a constant source of expense.[1] Then, towards the end of 1314, preparations began to be made for its interment in the church of the Friars Preachers at Langley.[2] The entire month of December was spent in making provision for the funeral: these cost the king £19.0.3d., of which £15.0.6½d. was spent on food alone.[3] A further £318.18s.3d. was spent in clothing the body suitably and transporting it to Langley.[4] The funeral, which took place on 3 January, 1315,[5] seems to have been a very sumptuous and costly affair. Those present included the king, the Archbishop of Canterbury, the Bishops of London, Winchester, Worcester and Bath and Wells, fourteen abbots,

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4 (contd.) Ibid., ii, 180.

5 Trokelowe, p.77.

6 Thomas of London and Philip of Edingdon were assigned by the king and Gavaston's widow to watch by the body from 10 June (sic) to 7 July, 1312. Their expenses for wine, bread, fish, wood, coal, etc., together with various necessities in connection with the body, such as candles, wood, lead, waxed cloth, etc., amounted to £16.7s.9½d. (Cott.Ms. Nero C viii, f. 64v.)

1 From 8 July, 1312 to 7 July, 1313, the expenses incurred in watching Gavaston's body amounted to £144.19s.11d., this including the cost of masses for his soul: in all, 5,601 lbs. of wax were consumed. (Exch. K.R. Accts 375/8, f.18; cf. also the entry in P.R. 87, mm.137, 142d., recording the delivery of £36 to Philip of Edingdon by the sheriff of Oxfordshire. Later, on 17 June, 1316, Thomas and Philip were paid a further £7.11s. 3d. (I.R. 178, m.3))

2 Baker, p.5; Murimuth, p.18; Knighton, i, 409; Eulogium, p.194; Ann. Lond., i, 232; Ann. Paul., i, 271; Gesta Edw., ii, 44; Trokelowe, p. 88. The church was not built by Edward especially to house Gavaston's body, for in March, 1312, he had given the Friars 700 marks towards the expenses of building it and the following summer the conventual church had been dedicated and the cemetry consecrated. Possibly, however, the transfer of Gavaston's body from Oxford was delayed until the church at Langley was finished. (V.C.H. Herts., iv, 447)

3 Exch. K.R. Accts 376/2; cf. C.Cl.R., 1313-18, p.125 and v. also

many monks and friars,[1] the earls of Norfolk and Pembroke, both the Despensers, Henry of Beaumont, Bartholomew of Badlesmere, John of Handlo and about fifty knights, the Chancellor, the Treaurer, the Treaurer of the Wardrobe, Sir William Inge (judge of the common pleas), Sir John Gisors (mayor of London) and John Abel (escheator south of Trent.).[2] The entire cost of the funeral seems to have been defrayed by the king, even to the twenty-three tuns of wine which he sent to Langley for the occasion.[3]

Gavaston dead proved almost as expensive to Edward as Gavaston alive. Robert of Reading suggests that the Dominicans took charge of his headless body with the idea of thereby ingratiating themselves with the king.[4] Whatever the truth in this charge, it is abundantly evident that the Order in general

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3 (contd.) A.G.Little, The Grey Friars in Oxford, Oxf. Hist. Soc., (1892),p.27, note 9.

4 Exch. K.R. Accts 375/15, /16; 376/11,ff.1,2; I.R. 172,mm.4,5,6, 178,m.8.

5 Exch. K.R. Accts 375/17,m.1. Trokelowe (p.88) and Rishanger (p.432) both give the year as 1314. V. also Archæologia,xlvi, 302.

1 The presence of so many religious shows that Gavaston must by then have been absolved from excommunication, but there is no record of when this took place.

2 Trokelowe,p.88; Dugdale, Baronage,ii,44; Dimitresco,p.85.

3 C.Cl.R.,1313-18,p.139. The candles consumed at the funeral cost another £2.10s.10½d. (I.R. 172,m.7)

4 Flores Hist.,iii,153. Robert further remarks of Gavaston's burial in the midst of many illustrious brethren of the Dominican order, that it fulfilled the gospel saying: "And he was reckoned among the transgressors."

and the house at Langley in particular, certainly profited by their connection with the dead favourite. From the time of Gavaston's interment there, Edward endowed the convent at Langley with 500 marks annually,[1] irrespective of the various gifts which he made to the brethren from time to time.[2] The king's oblations at the frequent masses which were celebrated there for Peter's soul amounted to a further £1.17s.6d.[3] The Dominican Order, too, benefitted by the king's grant to them of £5 towards the expenses of their provincial chapter, for the intention of Gavaston's soul.[4]

The writer of the Vita Edwardi states that the birth of a son to Edward dolorem ... regis quem ex morte Petri conceperat valde mitigavit,[5] but Edward's anxiety for the welfare of Gavaston's soul belies this,[6] for he solicited masses for him, not only from the Dominicans,[7] but also from all the belig-

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1 Ann. Paul.,i,273; Trokelowe,p.77. Payments of this 500 marks, usually in two instalments, one at Easter and the other at Michaelmas, continued throughout the reign. (I.R. 165,m2, 170,mm. 2,4, 172,mm.3,10, 177,mm.8,13, 180,mm.4,5) Previously, on 15 October,1310, the king had granted them £100 per annum. (ibid., 155,m.3, 161,m.2)

2 On the day of the funeral, they received £5 from the king for pittances. (Exch. K.R. Accts 376/1,m.2) They had already, on 7 October,1312, received a gift of £75 for Gavaston's soul (I.R. 164,m.10) and a further £10 for that intention was given them on 25 January,1315. (ibid.,172,m.9) Later, on 19 April,1324, Edward gave them another £5 for pittances (Exch. K.R. Accts 379/19,f.10) and two further sums of £5 each were given them for the same purpose on 19 June,1324 and 31 January,1325 (ibid., 379/19,f.14, 380/4,f.23v.), this last being granted expressly in order that they should the more remember the soul of 'Pieres de Gaverston' in their prayers.

3 Ibid., 376/7,f.5, 379/19,f.10; Add. Ms. 17362,ff.3v,4, 9951,f. 2; Stowe Ms. 553,ff.22,22v.

4 I.R. 163,m.4; Exch. K.R. Accts 375/8,f.4. The grant was made on 15 July,1312. Altogether £15 was given, £5 being for Edward's own intention, and £5 for the Queen's.

ious houses throughout Suffolk, Essex, Hertfordshire, Bedfordshire, Buckinghamshire, Kent, Surrey, Sussex and Hampshire.[1] We have no means of gauging the response to this appeal, but it is noteworthy that throughout the year October, 1315 - October, 1316, every Augustinian house throughout England and Ireland celebrated one mass every day for Gavaston's soul.[2] Edward also gave £33.6s.8d. to the chancellor and scholars of Oxford for Gavaston's intention,[3] and made provision for the daily celebration of mass for him in St Paul's cathedral,[4] in the church at Chalgrove[5] and in the chapel at Leeds castle.[6] As this last

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5 (contd.)
ii, 188.

6 The king's gift of £5 to the Dominican provincial chapter in July, 1312, for Gavaston's intention, was never repeated, however. After the birth of his son, Edward's gifts to Dominican and Franciscan provincial chapters usually took the form of £5 for his own intention, £5 for the queen's and £5 for the young Edward's. (I.R. 165, mm.1,8, 175, mm.1,5, 177, m.5, 178, m.6)

7 Masses for Gavaston's soul were said not only at Oxford and Langley, but also at London and Kenton. (Exch. K.R. Accts 375/8, f.4, 376/7, f.4)

1 Brother Walter of Ashridge received £8.10s. on 27 October, 1313, for the expenses he incurred in making a tour of these districts and soliciting masses for Gavaston. (ibid., 375/8, f.15)

2 Ibid., 376/7, f.4.

3 I.R. 72, m.10.

4 C.P.R., 1318-24, p.529; Dugdale, History of St Paul's, (1818), p. 21; Hist. Mss. Comm., IX, i, 54.

5 C.P.R., 1313-18, p.672.

6 Ibid., 1324-7, p.281.

provision was made on 28 June, 1326, it is obvious that Edward remained faithful to Gavaston's memory throughout the rest of his life.[1] Further proof of the king's lasting attachment to his dead friend is shown by the numerous presents of cloth from Turkey and Lucca which he made to Gavaston's tomb.[2]

Even as Edward was assiduous in trying to promote the welfare of Gavaston's soul, so he was equally solicitous for the welfare of the family that Gavaston left behind him. Shortly after his death, Gavaston's widow was, on 20 September, 1312, granted the manors of Burstwick, Oakham and Kirkton, the county and shrievalty of Rutland, together with various hundreds and hamlets and view of frank-pledge and sheriff's aid,[3] this grant being followed on 7 October, by that of the appurtenant knights' fees and advowsons.[4] Then on 22 December, 1316, Margaret received the manors of Hadleigh, Harwell, Little Weldon, Fordington,[5] Henley and Newport,[6] and the castle and manor of Eye,[7] to the annual value of 1,000 marks, in compensation for her surrender of the manor of Burstwick,[8] the appurtenant knights' fees and advowsons being granted to her the following 3 March.[9] Before her marriage to

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1 There is also the evidence of the petition of the abbot and convent of Rewley in 1320. (v. supra, p.27, note 3)

2 Exch. K.R. Accts 379/19, f.10; Add. Mss. 9951, f.45v, 17362, f.53v; Stowe Ms. 553, f.113. Two Turkey cloths were also given to Trinity Church, Canterbury, for Gavaston's intention. (Hist. Mss. Comm., iii, 262)

3 C.P.R., 1307-13, p.497; E.R. 1/23, m.15. Cf. Earl. Writs, ll, iii, 393, 404-5; C.Cl.R., 1333-7, pp.198-9; V.C.H. Rutland, ii, 2. The manors of Stoke in Kirkton and Oakham had formerly belonged to earl Edmund's widow, but she was now dead. Altogether these manors are stated to be worth 2,000 marks per annum, Burstwick alone accounting for 1,000 marks annually. There is, however, a mandate dated 15 March, 1313, ordering Edmund of Mauley to pay Margaret the issues of Burstwick from the preceding 20 Septem-

Hugh of Audley the younger, Margaret surrendered these lands to the king, but on 13 May, 1317, Edward re-granted them to be held by Margaret and Hugh jointly.[1] In accordance with the Ordinances, these grants were taken into the king's hand on 9 June, 1318, but restoration was ordered by letters of the following 10 September.[2] But it was at the earldom of Cornwall and its appurtenant lands that Margaret and her husband were aiming. Accordingly in the Parliament of York of September, 1318, they formally petitioned to have the Cornwall lands.[3] In consequence

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3 (contd.) ber, for Margaret had complained to Edward that he had refused to deliver them to her. (C.Cl.R., 1307-13, pp.520-1)

4 C.P.R., 1307-13, p.502; cf. C.Cl.R., 1307-13, p.538.

5 Cf. Cal. Doc. Scot., iii, 106; C.P.R., 1313-17, p.657.

6 Cf. C.Cl.R., 1349-54, p.309.

7 Cf. ibid., 1341-3, p.460.

8 C.P.R., 1313-17, pp.576-9.

9 Ibid., pp.623-4.

1 Ibid., p.664. These lands are stated in the grant to be worth 2,000 marks per annum: the annual incomes of certain of the individual manors are to be found in Chan. Misc. 9/52 (2). Margaret and Hugh were also granted part of the annual rent from Queenhithe, this amounting to £9.1s.11¾d.: an enquiry into how it came into their possession was ordered by letters dated 14 April, 1330. (C.P.R., 1327-30, p.560). The £50 rent payable by the abbot of Hailes for the manor of Lechlade was, however, restored to Queen Margaret, together with £250 of arrears for the time during which it was enjoyed by Gavaston. (ibid., 1313-18, pp.111-2, 121-2) About this time, too, Margaret and her two sisters jointly inherited the lands of the earldom of Gloucester, so Margaret was now a great land-owner in her own right. (ibid., pp.660, 666)

2 C.F.R., ii, 374.

3 Rot. Parl., i, 453; Abbreviatio Placitorum, p.335.

of this petition, Edward, on 4 December, 1318, made the Audleys agree to a settlement regarding the lands and tenements which Gavaston had held, by which the lands which the king had previously conferred on them, were confirmed to them, though now only for term of their lives,[1] in consideration of their relinquishment of all claim to the Cornwall lands.[2] Notwithstanding this agreement, the Audleys' petition was fully discussed in the Parliament which was held at York the following April, and the decision was there taken that all grants of land which had been made to Gavaston should be considered null and void. The petition was therefore refused, and the decree embodying this refusal, dated 13 June, 1319, was recorded in the enrolments of the chancery, the exchequer and both benches.[3] In view of this decree and of the fact that Margaret had not yet been granted her rightful dower from the lands of her late husband, Edward confirmed to Margaret and Hugh the following 20 July all the previous grants which he had made them, and at the same time made them the additional grants of the manor of Bradninch, the castle of Lydford, the chace of Dartmoor, the hamlets of Week and South Teign and various tenements in Shoreham.[4] It

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1 If Hugh survived Margaret, land to the annual value of 1,200 marks was to remain to him.

2 C.P.R., 1317-21, p.251.

3 Rot. Parl., i, 453; Abbrev. Placit., p.335; Clarke, op.cit., p.166.

4 C.P.R., 1317-21, p.386; cf. V.C.H. Rutland, i, 174, ii, 11. Presumably Margaret held these lands until her death in 1342. V. C. Inq. p.m., viii, 382, for the inquisition held after her death.

was mainly by grants of territory that Edward showed his favour towards Gavaston's widow, but she also received some money gifts and some in kind.[1]

Edward also did his best to provide for Gavaston's infant daughter, Joan, by arranging for her to marry Thomas Wake, son and heir of John Wake, whose marriage the king had formerly granted to Gavaston.[2] Thomas, however, preferred forfeiture to marriage with the daughter of the dead favourite. He married somebody without the king's license, and Edward granted the forfeiture due from him for this breach of faith, to the slighted Joan.[3] The king next arranged for Joan to marry the son and heir of Thomas of Multon, lord of Egremont. To make sure that the marriage took place this time, Edward undertook to pay Thomas £1,000[4] on his son's marriage to Joan, and to cancel his debt of £10,000 to the crown,[5] whilst on his side, Thomas bound himself to forfeit £10,000 if his son married elsewhere. Joan meanwhile was in the convent at Amesbury, where she and Eleanor of Hereford, the king's niece, received a joint allowance of 100 marks annually from the king to support them

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1 She received a prest of £157.19.4d. towards the expenses of her household in 1312 (Exch. K.R. Accts 374/20,m.4; cf. C.P.R.,1307-13,p.491) and a present of a piece of cloth worth £100. (Exch. K.R. Accts 375/8,f.27)

2 V. supra,p.120.

3 Fœdera,11,i,299; C.P.R.,1313-18,p.553. The grant is dated 9 October,1316. V. ibid.,1317-21,pp.251-2, for the king's pardon to Thomas.

4 This was to be paid in three instalments of 500 marks. The first instalment was paid on 6 July,1317. (I.R. 180,m.3) Apparently this money was part of the forfeiture which Thomas Wake had had to pay the king for not fulfilling his marriage contract. (C.P.R.,1313-18,p.43)

5 Fœdera,11,i,331; C.P.R.,1313-18,p.654; C.Cl.R.,1313-18,p.468.

and their servants.[1] Before she reached a marrigeable age, she died through illness.[2]

After Joan's death, the only surviving member of the Gavaston family in England was Amy, who was either Gavaston's sister or nieve. She apparently continued in attendance on Queen Isabella throughout the reign,[3] and, on the accession of Edward 111, became one of Queen Philippa's ladies, in which capacity she so distinguished herself that before long we find the Queen making grants of land first to Amy alone and later jointly to her and her husband, John of Driby.[4]

It is beyond the scope of the present work to trace the fortunes of the Gavastons in Gascony after Gavaston's death. The head of the family, Arnold William of Marsan, seems to have left England for good the November following Peter's execution. He did not immediately return to Gascony, but journeyed to Rome viâ France.[5] On 20 November, Edward wrote to the Pope asking him to receive Arnold William's suit favourably.[6] We do not know what this suit was, but it is not unlikely that it concerned his dead brother's excommunication, which Arnold William may possibly well have incurred as well, through his open association with

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1 Exch. K.R. Accts 325/13,m.5.

2 She died on 13 January,1325, but an inquisition was not held until the spring of 1332. (C. Inq. misc., no.1329) According to the inquisition, she was fifteen years old when she died, but actually she was only thirteen. A mandate to the Chancellor, ordering him to cancel Thomas of Multon's recognisancesof £10,000 is dated 26 March,1332. (C.Cl.R.,1330-3,p.547)

3 V. supra,pp.163,164 and note 1.

4 The first grant was apparently made in 1331. (C.P.R.,1330-4,p. 244) Cf. ibid.,pp. 306,414; 1334-8,p.96; 1338-1340,p.522; C. Inq. misc.,1307-49,no.1290.

Peter. After his visit to Rome, Arnold William presumably returned to Gascony, for he was admitted to the king's council in Aquitaine on 7 April, 1314.[1] He must have continued to serve the English king loyally, for in August, 1323, he received a gift of 400 livres tournois (£100 sterling) from the king, in appreciation of his services against the count of Foix and Béarn and other rebels in Aquitaine.[2] Finally, on 30 September, 1324, he was one of the magnates of Aquitaine whom the king exhorted to continue their fidelity and good service against the king of France.[3] As this is the last mention that we have of Arnold William, he probably died about this time. After his death, the barony of Gabaston seems to have passed in the direct line until the time of Bertrand of Gavaston,[4] who left no son and whose daughter and heir, Tabitha, was married to Bernard, baron of Montault and Bénac. Their son, Philippe,

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5 (contd.)
On 28 October, 1312, Edward wrote to Philip IV asking him to grant letters of safe conduct to Arnold William during his passage through France. (Fœdera, II, i, 185)

6 Ibid., II, i, 188.

1 Carte, i, 45.

2 Exch. K.R. Accts 164/17.

3 Fœdera, II, i, 571.

4 Bertrand lived in the mid-sixteenth century. (Montlezun, Hist. de la Gasc., vi, 147) Other Gavastons who are expressly mentioned as lords of Gabaston, are Bernard and another Bertrand, both of whom lived in the first half of the fifteenth century (Carte, i, 189, 224) and John II of Gramont, who lived in the first quater of the sixteenth. (Arch. Hist. Gascogne, fasc. 13, p. 34) Other members of the family were Peter, who was possibly Arnold William of Marsan's grand-son and perhaps also lord of Gabaston (Rôles de l'armée de Gaston-Phœbus, ed. P. Raymond, (1872), p. 11; In.-som., Gironde, iii, 95) and Janot (Montlezun, op.cit., iv, 450)

was created Duc de Navailles[1] and a peer of France in 1650.[2]

Of Gavaston's Calhau relatives, it is only the fortunes of his nephew, Bertrand, that concern us. Bertrand seems to have continued in the English diplomatic service for the rest of his life. After his uncle's execution, he was again sent to Rome to lay Edward's case before the Pope.[3] After this, we hear little of him[4] until at the beginning of Edward III's reign, we find him engaged in negotiations between the kings of England and France, for his services on which account he was given a present of 100 livres tournois (£25 sterling) by Edward, with a further 100 livres for his expenses.[5] Later, in letters of February, 1331, the king directed that Bertrand should be lent £25,[6] after which nothing further is heard of him. The Calhau family continued to flourish in Gascony throughout the remainder of the medieval period, though their close connection with England seems to have ceased about the middle of the fourteenth

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1 The barony of Navailles also belonged to the Gavaston family by this time. (Nobiliaire de Guienne et de Gascogne, i, 419)

2 Ibid., loc.cit.; Hist. Gén. et Chron. de la Maison Royale de la France, (1733), vii, 606; cf. Dictionnaire de la Noblesse, viii, 756; Dodge, p.12, note 1. Even into the eighteenth century, however, we occasionally find mention of the baron of Gabaston. (In.-som. Gironde, ii, 178, iii, 99)

3 V. infra, p.354.

4 In June, 1324, he received a letter from the king. (Exch. K.R. Accts 379/19, f.13v.)

5 Exch. Treasury of Receipt, Books 78, p.6. Another entry records the payment to him of 331l.11s.2d. in currency of Tours (£82. 17s.6½d. sterling) for his wages and those of two mounted men-at-arms from 7-13 September, 1329. (ibid., p.30)

6 C.Cl.R., 1330-3, p.198.

century.[1]

It is also interesting to note in this connection that the king apparently took certain members of Gavaston's household into his own employ after his favourite's death. Bertrand Assaillit, for example, from being one of Gavaston's yeomen, became one of the king's,[2] and nineteen of Gavaston's archers were also taken into the royal employ.[3]

b) The results of Gavaston's execution.

If the opposition had hoped that by executing the favourite in flagrant violation of the solemn pact they had made with him to keep him safely until the parley at the beginning of August, they would frighten the king into submission, they were mistaken. It is more than probable that his friend's execution came as an unexpected blow to Edward, for it hardly seems likely that the earls would have dared to mete out the extreme penalty to Gavaston in the teeth of the king's remonstrances.[4] As might be expected, the news made the king furiously angry and more determined on war than ever, for he had now to avenge, not only the blow to his prerogative embodied

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1 V. Arch. Hist. Gironde, xxi, 254, 276, 605, xxii, 61, 607, lv, 24; In.-som., Gironde, pp. 91, 98, 124-5, 391.

2 V. supra, p. 173, note 5. Possibly Richard Wightflesshe, another of Gavaston's yeomen, was also taken into Edward's service. At any rate, he received a gift of 4s. 3d. from the king on 26 October, 1313. (Exch. K.R. Accts 375/8, m. 29)

3 Ibid., m. 27d.

4 On 10 June, John of Rothewell, one of Gavaston's garciones, was given 4s. for his expenses in going to Gavaston on the king's private business. (ibid., 374/8, f. 43v.) This is the last mention we have of any correspondence between Edward and Gavaston.

in the Ordinances, but also the murder of his favourite.[1] Having determined in his own mind to bring Gavaston's executioners to book, Edward summoned his counsellors to advise him concerning the best means of carrying out this determination.[2] Edward could afford to be uncompromising with the opposition, for he could now number among his followers, not only such men as the younger Despenser,[3] Edmund of Mauley and Henry Beaumont, together with many other knights who had been Gavaston's adherents, but also the earls of Pembroke[4] and Warenne, who, alarmed by the baronial excesses, had deserted to the royal party.[5] Their advice to Edward was that he should raise an army from among his liege-men and promptly attack the enemy, for when victory had assured his position, he would be able to define his rights.[6] According to the Vita Edwardi,[7] certain of the king's advisers advocated a more moderate course, for they took into consideration the possibility of the king's capture and the futility of a civil war, when Bruce was occupying Scotland unopposed and making Northumbria pay tribute. But Edward, whose party was further strengthened by the accession of many who feared that his acquiescence in the baronial demands would redound to their

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1 It is stated in the Vita Edwardi (ii,182) that Edward lamented for Gavaston as a father for his son, and that, when he heard of his death, he said it was what he had always foreseen, if Gavaston should ever fall into Warwick's hands.

2 Ibid.,ii,183. Edward's intention is here stated to have been either to have Warwick's head or to confiscate his property and send him into exile.

3 Who, states the writer of the Vita Edwardi, was more deserving than Gavaston. (p.183)

4 The Annales Londonienses (i,208) relate that he was filled with rage and sorrow by Gavaston's death.

5 Ibid.,p.208; Vita Edw.,ii,183. 6 Ibid. 7 Ibid.

own loss,[1] preferred to challenge the barons in the field. He therefore left York and travelled to London, where he asked the citizens to keep the city for him.[2] Then, after his request had met with a favourable answer, he journeyed to Dover to accept the fidelity of the Cinque Ports.[3] About the same time, he summoned a parliament for July and sent the earl of Pembroke to Philip of France[4] and Bertrand Calhau to the Pope,[5] to solicit their assistance against the barons. Edward then returned to London,[6] and on 24 July addressed letters to the constables of twenty-seven castles and the mayors and communes of fifteen towns, ordering them to keep these places safe for him.[7] By 30 July, the king thought himself in a sufficiently strong position

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1 Ibid., p.184.

2 Both this request and the answer appear in French in Ann. Lond. (i,208) Edward had already, whilst still at York, commanded the mayor of London, by letters of 26 June, to keep the city for him and to commandeer for his use all horses up for sale. (Fœdera, ll, i, 170)

3 Ann. Lond., i, 209.

4 Ibid., p.209.

5 Cal. Pap. Let., ii, 107. He was accompanied by Master Walter of Maidstone, canon of York, and by Master Stephen, rector of Littlebury.

6 Ann. Lond., i, 209.

7 Fœdera, ll, i, 173.

to proceed against Henry Percy, whose lands he now declared forfeit because of his breach of the agreement made with Gavaston.[1] The following day, orders were made out for his arrest.[2] As a further preparation for war, letters were directed to the sheriffs the same day, ordering them to compel those who possessed forty librates of land or a knight's fee worth £40 per annum, to take up knighthood by 1 November.[3]

Meanwhile the barons were also engaged in active preparations for war. Directly after Gavaston's execution, they had boldly demanded that Edward should observe the Ordinances,[4] and when he refused, ~~they~~ had met at Worcester to make arrangements for the future.[5] There they decided that, if they could not defend their action by law, they would at least defend one another by arms.[6] They accordingly assembled a great army at Dunstaple and openly prepared for war.[7] As the king showed no sign of being overawed by the prospect of civil war, the barons brought their forces to London with them when they journeyed there in July to attend Parliament.[8] They retained sufficient respect for the law, however, to obey the king's prohibition to come to Parliament in arms, and accordingly stationed their forces between St Alban's and Ware.[9] In these circumstances,

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1 Ibid., p.173. The custos of the county and city of York was ordered to assist the escheator north of Trent to seize Percy's lands into the king's hand, if Percy resisted. No action was taken against the other two signatories to the agreement, Pembroke and Warenne, as they had joined the king's party.

2 Ibid., p.173; C.P.R., 1307-13, p.486.

3 Fœdera, II, i, 174.

4 Trokelowe, p.77.

5 Vita Edw., ii, 182.

6 Ibid., loc.cit.

7 Trokelowe, p.77.

8 Vita Edw., ii, 184.

9 Ann.Lond., i, 209; Flores Hist.,

the barons refused to come to Parliament, sending messengers to the king instead to ask why they had been summoned.[1] Edward now summoned his council and asked them whether they thought an immediate engagement with the earls would result in a victory for him.[2] On being asked their opinion, certain of his counsellors advised delay and pointed out that the baronial forces outnumbered the king's by two to one.[3]

Whether Edward would have taken the advice of the moderate section of his council is a moot point. At this juncture, however, two papal legates, Cardinal Arnold of St Priscia and Bishop Arnold of Poitou, arrived in England to act as mediators between king and barons.[4] A fortnight later, on 13 September, Louis of Evreux, whom Philip of France had sent to act as peacemaker, also arrived.[5] These three, together with the earls of Gloucester and Richmond, who had all along striven for a reconciliation,[6] now ranged themselves on the king's side with the object of bringing about a peaceful settlement, and, though the country remained in an unsettled condition until the beginning

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9 (contd.)
iii,337.

1 Vita Edw., ii, 185.

2 Ibid., loc.cit.

3 Ibid. It is here suggested that they may have exaggerated the danger because they preferred peace to war. The chroniclers give more information about the baronial forces than about the king's. According to the Tintern version of the Flores Historiarum, (iii,337), the barons' army numbered 4,200 knights and 5,000 foot, whilst the Vita Edwardi (ii,184) states that it comprised 1,000 men-at-arms and 1,500 foot contributed by Lancaster, a great crowd of Welsh under Hereford and Warwick's men of Arden, besides smaller contingents from all the other barons. The only description of Edward's army is that in the Tintern chronicle (Flores Hist., iii, 337), where it is stated

of 1314,[1] it was never plunged into civil war.

It seems to have been Gilbert of Gloucester who persuaded the king to submit his differences to arbitration. He urged that if the barons were prepared to make satisfaction, the king ought to admit it, and advised Edward to call together the earls and to point out to them the injuries they had inflicted on him, for their reply to his overtures would give him some indication of what he had to hope from them.[2] Edward agreed to Gloucester's suggestion and accordingly sent him to the opposition to lay the king's case before them. Gloucester's mission was no easy one, for not only had the earls of Lancaster, Warwick and Hereford failed to answer the royal summons[3] to meet at

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3 (contd.)
that Edward was supported by 1,000 knights, besides the retainers of the earls of Pembroke and Warenne, and of Hugh Despenser, Henry Beaumont and many others.

4 Ann. Lond.,i,209; Vitae Paparum,i,47; Guillaume de Nangis,i, 395; cont. of Trivet,p.9. Robert of Reading stigmatises the Cardinal and Bishop as emunctores pecuniarum sapientissimi and states that they did nothing to remedy the dissension, their sole concern during their stay in England being the exaction of money. (Flores Hist.,iii,154) The continuator of Trivet also states that Cardinal Arnold levied a great procuration from the clergy. (p.9)

5 Ann.Paul.i,272. The legates had arrived on 29 August. (ibid.)

6 Flores Hist.,iii,337; Vitae Paparum,i,209. Trokelowe (pp.77-8) adds that the English Bishops also acted as mediators.

1 During this period, meetings were prohibited in Bedford by a mandate dated 23 August,1312, (Fœdera,ll,i,177) whilst the following 22 December, orders were directed to the sheriffs bidding them proclaim the preservation of the king's peace. (ibid.,p.193) As a further precaution, general prohibitions of tournaments were made out on 12 October and 1 November,1312 and 12 August,1313, and partial and individual prohibitions on 30 September and 19 November,1312, 17 and 31 January, 19 March, 1 April, 26 July, 12 August, 7, 10 and 16 September, 1313 and 1 January,1314. (ibid.,pp.80,182,186,187,196,198,206, 207,223,224-5,227-8,239) As a result of these prohibitions, foreign tournaments must have been viewed with a longing eye;

Westminster or London on 27 August in connection with the amending of the Ordinances; they had also to be forbidden, by a mandate of 3 September, to attend Parliament with their armed retainers.[1] The barons' reception of earl Gilbert was therefore not very favourable: they justified their execution of Gavaston as being in accordance with the Ordinances, which had not been lawfully revoked, and argued that they had come to Parliament in arms to protect themselves against a king whom they could not trust.[2] The magnates showed a similar recalcitrance towards the clerks who brought them the letters which the Pope had sent to England with his delegates.[3]

At length, however, the earls consented to join the

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1 (contd.)
participation in them, however, was forbidden by a mandate of 1 March, 1314. (ibid., p.244) Despite these precautions for precluding disturbances in the realm, no less a person than the earl of Gloucester had to be ordered, by a mandate of 18 August, 1313, to desist from besieging the town of Bristol. (ibid., p.225)

2 (contd.)
Vita Edw., ii, 185-6.

3 (contd.)
Issued at the beginning of August. (Foedera, ll, i, 175; Rot. Parl., i, 447; Statutes, i, 167.)

1 [illegible] Foedera, ll, i, 178. The Bishops of Norwich and Bath and Wells, together with the earl of Richmond, Ralph of Monthermer and Edmund D'Eyncourt, were empowered to enforce this prohibition.

2 Vita Edw., ii, 185-8. The earl of Lancaster is here stated to have pleaded that he was not guilty of having stolen the king's property at Newcastle, for he had ordered it to be kept safe for the king's use. (p.187)

3 Trokelowe, p.78. When the clerks showed the earls the letters, they replied that they had no knowledge of letters and so did not wish to see them, and, when the clerks then asked them if they would like the Cardinal and the Bishop to come in person, they rudely answered that they had enough nobles and learned Bishops in England to settle the matter without enlisting

mediators at Markyate, where negotiations for peace had probably been in progress for some time now. Letters of safe-conduct were therefore issued to the earl of Hereford and Essex, Robert Clifford, John Botetourt, John of Heselarton, Adam of Herwynton and Michael of Meldon on 28 September, for this express purpose,[1] with the proviso that these baronial representatives were not to be admitted into the city of London.[2] The validity of these letters was periodically extended to cover the period until 27 May, 1313.[3]

Six weeks later, the tension was eased by the birth of a son to Edward on 13 November,[4] which, though it did not, as certain of the chron-

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3 (contd.)
foreign help.

1 Fœdera, ll, i, 180; C.P.R., 1307-13, p.502.

2 Fœdera, ll, i, 181; C.P.R., 1307-13, p.500.

3 Fœdera, ll, i, 182, 186, 191; C.P.R., 1307-13, pp.507-8, 509-10, 516. On 16 December, a safe-conduct was also issued to Henry Percy. (Fœdera, ll, i, 191; C.P.R., 1307-13, p.516.)

4 C.Cl.R., 1307-13, p.558; Ann. Lond., i, 219; Ann. Paul., i, 271; Gesta Edw., ii, 45; Chron. Melsa, ii, 328; Trokelowe, p.79; cont. of Trivet, p.9; Robert of Boston apud J.Sparke, Historicae Anglicanae Scriptores Varii, pp.126-7. He was baptized by the Papal legate, Cardinal Arnold Novelli of St Priscia (Flores Hist., iii, 154) and was given the name of Edward, though the French visitors wanted him to be called after Philip of France. (Trokelowe, p.79)

iclers declare,[1] drive out the memory of Peter from the king's mind,[2] seemingly did much to create a better understanding between Edward and his people.[3] In this friendlier atmosphere, negotiations between king and barons proceeeded apace.[4] The progress of these negotiations is recorded in detail by the London annalist. The opposition had already proposed certain terms to the king, by which they had declared their willingness to give him an aid against the Scots, to beg his pardon on their knees in the great hall at Westminster and to restore the jewels and other property which they had captured from Gavaston, if Edward on his side would consent to observe the Ordinances.[5] Not only had the king refused these overtures, however, but the baronial proposals had been countered by a lengthy list of objections to the Ordainers and their policy, which had been drawn up by two French jurists, whom Louis of Evreux had probably brought to England with him.[6] The magnates had met these objections by the argument that England was governed, not by written law, but by leges et consuetudines antiquas, which it was their duty to emend at the request of the people, whenever they were found wanting.[7] Apparently these discussions had re-

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1 Vita Edw., ii, 188; Trokelowe, p.79.

2 V. supra, pp.143-5.

3 It was followed by great rejoicing, especially in London, where it was celebrated by a grand pageant of fishmongers. (Ann. Lond., i, 219-20; Ann. Paul., i, 271). Robert of Boston refers to the birth of the young Edward as remedium omnium malorum. (Sparke, op.cit., p.127)

4 Trokelowe (p.80) notes that, after the birth of his heir, Edward became more affable towards the magnates. Cf. Vita Edw., ii, 189.

5 Ann.Lond., i, 210-11.

6 Ibid., pp.211-2.

7 Ibid., pp.212-5

sulted in a temporary deadlock,[1] but they must have been resumed after the general amnesty and the birth of Edward's heir, for on 20 December, 1312, a solemn reconciliation took place between king and magnates in the presence of the two papal legates, Louis of Evreux and the earls of Gloucester and Richmond. By the terms of this agreement, at which the barons were represented by the earl of Hereford, Robert Clifford and John Botetourt[2] and the king, by the earl of Pembroke, Hugh Despenser and Nicholas Segrave, the earls were to beg the king's pardon solemnly in the great hall at Westminster, to restore all the property taken from him at Newcastle and to grant him an aid, whilst on his part the king was to publish a general pardon in the next Parliament, which was fixed for 18 March, 1313, and to make restitution to Henry Percy.[3] This pacification was followed on 30 December by a mandate to the mayor, aldermen and sheriffs of London, ordering them to cease their emergency precautions for the safe-keeping of the city,[4] whilst two days later directions were made out to the sheriffs, bidding them proclaim the king's willingness to confirm the charters granted by his ancestors.[5]

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1 The situation was such that on 20 September, 1312, the king sent the earl of Pembroke, together with Hugh Despenser, Edmund of Mauley, Nicholas Segrave and John Cromwell to the Guildhall to ask whether the citizens would honour their promise to keep London safe for the king. The citizens replied that they would, but in return petitioned the king in respect of various oppressions committed by the royal servants. The city must have been in a very unsettled state, however, for whilst the king's emissaries were still at the Guildhall, a riot occurred outside, caused, states the St Paul's annalist, by the fact that these emissaries showed no commission from the king. (Ann.Lond., i, 219; Ann.Paul., i, 271) This tumult in the city was followed, on 6 October, by the murder of a servant of Cardinal Arnold in St Paul's churchyard. (ibid.)

2 Who were sent to London by the earls of Lancaster and Warwick.

3 Fœdera, II, i, 191-2; Mun. Gildh. Lond., Lib. Cust., pp.674-6;

The earls had first to perform the material part of their undertaking, viz., the restitution to the king of the property taken from him at Newcastle. This was planned to take place at St Alban's on 13 January, 1313, and the king accordingly appointed John of Sandale and Ingelard of Warley on 7 January to act as receivers.[1] The actual transfer did not take place, however, until more than a month later.[2] On 16 February, the earl of Lancaster and forty armed men were granted letters of safe-conduct, to enable them to conduct the king's horses and other property to London,[3] and on 23 February, Walter Reynolds, Bishop of Worcester, and John of Sandale were appointed to receive them.[4] By the end of February, therefore, the king had recovered all the possessions which he had lost at Newcastle, delivery of the captured horses and articles being made by the earl of Hereford, Robert Clifford and John Bote-

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3 (contd.)
C.Cl.R., 1307-13, p.574; Ann. Lond., i, 221-5, 225-9.

4 Foedera, II, i, 193; C.Cl.R., 1307-13, pp.501-2.

5 Foedera, II, i, 193. Those who wished their charters confirmed were to bring them to the Exchequer by 20 January, 1313.

1 Foedera, II, i, 194; C.P.R., 1307-13, p.519. For his expenses in journeying from London to St Alban's and returning to Windsor to report to the king, John received £7.10s. for his expenses, and Ingelard, £16.8s.9d. (Exch. K.R. Accts 375/8, ff.7v, 8.)

2 Trokelowe (p.79) tells how John and Ingelard journeyed to St Alban's on the appointed day and found nobody there, and, to safeguard themselves, had the circumstances recorded by a Public Notary and read in the church there in the presence of the community and the people.

3 Foedera, II, i, 202; C.P.R., 1307-13, p.552.

4 Foedera, II, i, 203; C.P.R., 1307-13, p.553.

tourt, though the acquittance, dated 27 February, is made out to the earls of Lancaster and Warwick and Henry Percy as well.[1]

But the earls had still to beg the king's pardon before he would forgive them for Gavaston's execution. Negotiations therefore continued throughout 1313. According to the Vita Edwardi,[2] the stumbling-block in the way of a workable agreement between king and barons, was the fact that Edward refused outright to term Gavaston a traitor, though the magnates earnestly importuned him to do so. Possibly Edward hoped to wear out the opposition, for when he saw that negotiations were bound to prove futile, he left for Windsor.[3] Towards the end of March, it was hoped that the king and the earls would meet in London and come to some arrangement, but Edward pleaded illness, which some people thought was fictitious, and did not appear.[4] Then on 3 May, letters of safe-conduct until 24 June, were granted to the earls of Lancaster, Warwick and Hereford, together with Henry Percy, Robert Clifford, John Botetourt and their retinues and adherents, to enable them to proceed to

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1 Fœdera, II, i, 203-5; C.P.R., 1307-13, p.525.

2 ii, 189-90. It is here stated that Edward offered to confirm the Ordinances, but steafastly refused to brand Gavaston as a traitor, for he himself had condoned his offences. The barons' anxiety that the dead favourite should be judged guilty of treason is alleged to have sprung from the fact that, if he were not considered a traitor, his wife and heir could claim his lands.

3 Ibid., p.190.

4 Ibid., loc.cit.

Bedford to meet Cardinal Arnold and various members of the council.[1] Later, on 8 July, the earls met in London, but returned home without having had word with the king.[2] Edward, however, returned to London at the beginning of August and summoned a Parliament for September.[3] When this Parliament met, Edward accused the barons of having acted in contempt of him by leading an army against him at Newcastle and executing his favourite, to which charge the barons replied that they deserved the king's thanks rather than his condemnation, for having rid the country of a public enemy.[4] According to Trokelowe and the writer of the Vita Edwardi,[5] the king was still minded to delay pardoning Gavaston's executioners and their adherents, but the barons thought that delay profited them nothing.[6] Accordingly about the middle of October, all who had been concerned in Gavaston's

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1 Fœdera, II, i, 211; C.P.R., 1307-13, p.569. Cf. also Fœdera, II, i, 222, C.P.R., 1313-18, p.2 for the renewal of these letters until 15 July.

2 Vita Edw., ii, 193-4.

3 Ibid., p.194. On 24 September, letters of safe-conduct until 11 November were granted to the earls of Lancaster, Hereford and Warwick, Henry Percy, Robert Clifford and John Botetourt, to enable them to attend this Parliament. (Fœdera, II, i, 228; C.P.R., 1313-18, p.6)

4 Trokelowe, p.80.

5 ii, 194. This chronicler relates that there was a rumour current that Edward was either trying to wear out his enemies or expecting the death of Thomas of Lancaster: he doubts the truth of this last speculation, however, on the grounds that Lancast- was the most likely person to help the king.

6 Trokelowe, p.80.

death publicly begged the king's forgiveness on bended knee in the great hall at Westminster and did homage to him.[1] In return for this, the king, in accordance with the terms of the agreement he had made with them,[2] proclaimed in Parliament on 15 October, a general pardon for all concerned in the late rebellion against him, and the following day, letters were addressed to the sheriffs ordering them to molest no-one on account of the late favourite's death.[3]

In view of this general pardon, it is significant that the earls of Lancaster and Warwick, Henry Percy and Robert Clifford should have felt the need 'for their greater security' for another acquittance, dated 5 November, in respect of the jewels, horses and other property which they had captured at Newcastle and elsewhere.[4] Their desire for this double safeguard is typical of the mistrust which coloured the relations between Edward and the magnates for the remainder of the reign.

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1 Accounts of this ceremony appear in the Vita Edwardi (ii,195), the Livere de Reis (p.330) and the Flores Historiarum (iii,337). In this last chronicle it is said to have taken place on 19 October, but it is more likely to have occurred before the proclamation of the general pardon.

2 V. supra, p.361.

3 Orders were also sent to the justices of the king's bench and of the crown pleas and to the acting treasurer and the barons of the Exchequer to cause this pardon to be read publicly and observed for ever. At the same time, letters were sealed ordering that no-one should suffer for having aided or abetted Gavaston on his return. (Statutes, i,169-70; Parl. Writs, II,ii,app.,67; Foedera, II,i,230) Four hundred and seventy-two individual pardons were made out in the form of letters patent at the time of the general pardon (C.P.R., 1313-18, pp.21-6,36; cf. Archaeologia Aeliana, 3rd series, i,60, xiii,273; Bristol and Gloucestershire Arch. Soc. Trans., x,119; V.C.H., Surrey, iii,248) and further pardons were granted as late as 7 October, 1314. (Hist. Mss. Comm., i,50)

4 Foedera, II,i,232; C.P.R., 1313-18, p.34.

Nevertheless, after this public reconciliation between king and barons, matters may be said to have returned, though perhaps only superficially and temporarily, to normal. At any rate, the episode of what may be termed the aftermath of Gavaston's execution,[1] can be considered closed by 12 December, 1313, when Edward quitted England to visit France for a week.[2]

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1 V. Camden Miscellany, xv, R. Hist. Soc., (1929) for a well-documented report from the two Papal legates presented to the Pope on their return to Rome. Details of the negotiations between king and barons are here given in full.

2 Fœdera, II, i, 238; C.Cl.R., 1313-18, p.86. According to the Vita Edwardi (ii, 190), the barons asked the king not to leave the country in such an unsettled condition, with Bruce nearing York and rumoured to be preparing to march on London, but he insisted on going and took the queen and the court with him. During his absence, Edward left the Great Seal in the custody of Walter Reynolds, then Archbishop-elect of Canterbury.

Chapter VIII.

The Place in History of Peter of Gavaston.

The study of Gavaston's career and position in the kingdom proves conclusively that in himself, Gavaston was of no great importance either politically or constitutionally. We know that, as the king's most intimate friend and his nephew by marriage, Gavaston was naturally one of the small circle of advisers grouped round the throne, but, so far as can be judged in view of the insurmountable difficulty of estimating his influence on the king,[1] he seems never to have used his position for political ends.[2] Nevertheless, both during his lifetime and after his death, Gavaston was indirectly the means of changing the course of English history.

To take his political importance first, it is no exaggeration to say that it was Edward's fondness for Gavaston that made the tragedies of the reign inevitable. In the first place, Gavaston's ousting Isabella from the first place in her husband's affections[3] was probably the main reason for her directing her affections elsewhere, and in the politics of the closing years of the reign it was the Queen's hatred of Edward that was destined to prove the determining factor. Nor was this all.

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1 V. supra, pp. 141-3.

2 His co-operation with the earls of Gloucester and Lincoln to procure the suspension of the collection of the twenty-fifth from 21 December, 1309 to 1 April, 1310 (v. supra, p. 145 and note 3) seems to be the single example of Gavaston's active participation in politics.

3 V. supra, pp. 146-7.

For several reasons Edward's association with Gavaston caused him much unpopularity. It drew him away from his duty and brought him into contempt during the time it was allowed to continue, whilst during those periods when it was forcibly severed by the magnates, the king's machinations for his favourite's recall immediately after having assented to his banishment showed the people that he was not to be trusted. Moreover, there can be little doubt that Edward's enlisting foreign aid against his recalcitrant baronage did much to aggravate the situation, for we have Trokelowe's testimony that such foreign intervention was very unwelcome.[1]

But it was after his death that Gavaston became such a force politically. To use the words of Robert of Boston,[2] Gavaston's execution was initium multorum malorum futorum. Those responsible for this act of violence may have thought it the only way out of a difficult situation, but in reality they were strengthening the king's hand and weakening their own position. True, Gavaston's death seems to have been hailed with delight by a certain section of the community,[3] but, though

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1 V. supra, p.358, note 3. The over-emphasis on Gavaston's own foreign origin (v. supra, pp.140-1) is further proof that foreigners were regarded with no kindly eye in England, though Dimitresco (pp.56-9,88) is inclined to exaggerate the English dislike of foreigners at this time.

2 J.Sparke, Historicae Anglicanae Scriptores Varii, p.126.

3 Vita Edw., ii, 182. This chronicler gives two rhymes which were current on Gavaston's death:

> Exitus hic Petri qui, dum conscendit in altum,
> Labitur in nihilum qui fuit ante nichil.

and

Gavaston himself apparently made no conscious effort to build up a party,[1] there were not lacking members of the court party who were just as ready to give the king 'evil counsel' as he was supposed to have been.[2] Theoretically, Edward was reconciled with Gavaston's executioners in October, 1313,[3] but in reality the barons' lawless execution of the favourite in flagrant violation of the solemn pact they had made to keep him safe, embittered the relations between king and magnates for the rest of the reign.[4] As a result of Gavaston's murder, two well-defined parties came into being, the court party, now strengthened by the secession of Pembroke and Warenne and other moder-

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3 (contd.)

De causa Petri gaudent omnes inimici,
Atque dolent pauci nisi qui sunt ejus amici.

(ibid., pp.180, 182) Another rhyme appears in Leland's Collectanea (i, 24, quoted by A. Clark, A Survey of the Antiquities of the City of Oxford by Anthony Wood, (1890), ii, 322):

Dum Petrus sevit, propriam mortem sibi nevit:
Nunc patet ut nevit, truncatus ense quievit.

Wright, The Political Songs of England, (pp.258-9) prints two songs, both of them parodies on hymns, which were written on Gavaston's execution. (cf. Dimitresco, p.89 and note 1.) The second of these comments on Gavaston's desire to be called by his title and not by his name: Vult hinc comes, et non Petrus, dici per superbiam. (cf. supra, p.116, note 2.)

1 V. supra, p.309. To Hemingburgh's record of the death of the earl of Warwick on 12 August, 1315, Hamilton notes that the earl was supposed to have been poisoned by Gavaston's partisans, but gives no authority for this supposition. (Chronicon, ii, 295-6, 295, note 8.)

2 Vita Edw., ii, 192, 194; Trokelowe, p.80.

3 V. supra, pp.364-5.

4 There is no lack of evidence that Edward harboured ill-feeling towards those responsible for his favourite's murder, long after he had pardoned them. (Flores Hist., iii, 337; Scalacronica, p.140; Chron. Melsa, ii, 327; Murimuth, pp.19, 22; Baker, p.6;

ates from the more violent element,[1] and the intransigeant baronial opposition under Thomas of Lancaster, whose acceptance of the responsibility for Gavaston's execution[2] (which apparently took place within his fief by previous arrangement with him[3]), seems to have been interpreted alike by king and barons as a deliberate challenge to the king.[4]

This lack of co-operation between Edward and his counsellors and the rest of the baronage was the cause of the disaster of Bannockburn of June, 1314. In the first place, it was only because of the quarrel which arose between Edward and the magnates on account of Gavaston and his execution, that Bruce was able to make good his position in Scotland.[5] It was also due to the dissension aroused in England by the favourite's murder and by the insistence of the opposition that the king should observe the Ordinances, that the force with which Edward invaded Scotland in 1314 was supported by only a few of the magnates, Lancaster being the most conspicuous absentee.[6] Finally, it might also be observed in parenthesis, that if Gavaston had been alive to command the English forces in 1314, the campaign might not have ended in disaster, for in view of what he

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4 (contd.)
Robert of Boston apud Sparke, op.cit., p.127. The Annales Londonienses (i,237) note that the barons were not of one mind in the Parliament of Lincoln of 1316 because of Gavaston's execution.

1 V. supra, p.353.

2 Vita Edw., ii, 181.

3 Miss M.V.Clarke, Medieval Representation and Consent, p.241, notes that: "Perhaps the occasion of the murder of Gavaston, which was carefully designed to take place on Lancaster's land, was the stage at which Lancaster began to claim for himself a peculiar status as guardian of the public interest."

4 Several chroniclers note that it was against Lancaster in part-

was able to accomplish against the Scots in the adverse circumstances of the campaign of 1310-11,[1] there can be no question of his abilities as a commander. In short, it is no exaggeration to say that Gavaston was the indirect cause of the loss of English supremacy in Scotland for the remainder of the medieval period.

In England, too, Gavaston's execution was no less important, for it inspired the king with the stubborn resistance to the opposition that eventually enabled him to overthrow it at Boroughbridge in 1322 and to execute its leader, Thomas of Lancaster,[2] after which, Edward's head was so turned by victory that he in turn lost first his throne and then his life. Nor did the political repercussions of Gavaston's execution cease with Edward II's death: they were felt until the battle of Bosworth field left a greatly attenuated baronage at the mercy of the Tudor despotism.[3]

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4 (contd.)
icular that Edward harboured resentment. (Scalacronica, p.140; Knighton, ii, 410; Sparke, op.cit., p.127, Murimuth, p. 22.)

5 Baker, p.6; Vitae Paparum, i, 44.

6 The continuator of Trivet (p.14) states that certain of the magnates refused to support the king, because he embarked on the campaign in despite of the Ordinances. According to Knighton (ii, 410), Lancaster stayed in Pontefract castle during the campaign, hoping for an English defeat, for it was commonly rumoured that Edward proposed, if victorious, to lay siege to this castle on his return from Scotland and take him prisoner.

1 V. supra, pp.292-304.

2 Sir Thomas Gray (Scalacronica, p.141) observed that Lancaster's execution was partly due to his share in Gavaston's murder.

3 Stubbs, Const. Hist., ii, 332; cf. supra, p.21, note 4.

Gavaston was equally important in the constitutional sphere, for indirectly he was responsible for the whole constitutional history of the reign. Immediately on Edward's accession, the importance of his favourite as a constitutional factor began to be felt, for it was on Gavaston's account that the barons threatened to postpone the coronation indefinitely until the king agreed to conform to whatever they should ordain in the next Parliament, following up this first victory by the insertion in the coronation oath of the clause by which the king had to promise to be guided in future by his barons.[1] Edward's excessive fondness for Gavaston put him at a disadvantage in his dealings with his magnates, for the favourite's proximity to the throne drew attention to the potentialities of the household system of government, and acted as a challenge to all who had resented the increasing despotism of the closing years of the previous reign. The opposition might possibly have remained inarticulate, if Gavaston had not furnished a target for them to aim at, for it seems to have been not so much the household system that the barons objected to,[2] as the possibilities of that system as exemplified by the king's favourite.[3] But Gavaston's existence was not only used as a curb to the enlargement of the household system at the expense of the public departments of government; it was also used by the opposition as a means of

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1 V. supra, pp.198-205.

2 There seems to be no evidence that Edward had any conscious policy in lavishing honours and favours on Gavaston, as he apparently had when he re-established a court party round the two Despensers later in the reign.

3 "The first baronial opposition to Edward II was frankly personal in its object, and was appeased in 1308 by the second banish-

extorting concessions from the king. Thus the constitutional history of the reign of Edward II during Gavaston's lifetime is a series of deadlocks[1] alternating with concessions on the king's part, for Edward could purchase the society of his friend only at the price of periodically yielding to the baronial demands. Thus Gavaston's return from Ireland was bought by the Statute of Stamford of 1309, which was for the most part a repetition of the Articuli super Cartas[2] of 1300. This ratification of the existing law with regard to prises and purveyance was undoubtedly very important,[3] but of greater importance constitutionally was the fact in 1310 the king was obliged, in consequence of the policy implicit in clause 4 of the coronation oath, to place himself entirely in the hands of the barons for the reformation of the royal household and the realm.[4]

If the opposition had realised how useful Gavaston was to them, it is possible that Edward II's reign might have witnessed the institution of the limited monarchy implied in the Ordinances, in which the king was still to govern theoretically, though his ministers were to be chosen by the baronage in Parliament and he was to do nothing without their advice and con-

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3 (contd.)
ment of Gavaston." (Tout, Chapters, ii, 227; cf. i, 20.)

1 Robert of Reading remarks on the many sophistica et satis ridiculosa parliaments held in 1308: Murimuth (p.13) makes a similar comment. V. Tout, Chapters, ii, 193, for the ministerial changes at the beginning of the reign.

2 Tout, Chapters, ii, 227.

3 In connection with Edward's economic position, Miss Clarke (op.cit., p.273) notes that he collected tallage only once, at the height of the Gavaston crisis in 1312; cf. Chron. Melsa, ii, 327.

sent.[1] Gavaston's execution, however, gave the king a party and enabled him to withstand the baronial plan of reform. Thus Gavaston may be said to have been both the inspiration of the constitutional programme outlined in the Ordinances and the cause of its defeat.

But if in one respect the barons seem to have frittered away a great opportunity for constitutional development by the way in which they first used their reform programme to cover their designs for engineering the king's separation from his favourite, and then allowed it to degenerate into a policy of inconsistencies,[2] in another way it was fortunate for England that their plans proved abortive. The analysis of the Ordinances given above[3] makes it abundantly clear that the Commons were to have no part in the reform, the sole object of which was "to expel Gaveston and secure aristocratic control of the administration."[4] Miss Clarke has pointed out that the unity with which the earls acted throughout the Gavaston crisis shows

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4 (contd.)
V. supra, p.282.

1 Professor Tout (Chapters, ii, 194) saw in the ideal of government professedly before the Ordainers "an anticipation of the Whig ideal of a constitutional king whose authority was in practice wielded by a united aristocracy."

2 The inconsistency into which the opposition fell when it misused its constitutional programme for personal ends, is shown by the charge against the Despensers of having tried to restrain the power of the crown by means of the doctrine of capacities, although the opposition itself had been the first to apply this doctrine to the king and the crown. (v. supra, pp.207-8)

3 V. supra, pp.284-7, 306-14, passim.

4 Clarke, op.cit., p.159. Miss Clarke observes here that at the

that they had begun to regard themselves and to be regarded as "a separate order upon whom the special responsibility for the good government of the realm devolved."[1] It is more than possible, therefore, that if the earls had succeeded in establishing permanent control over the administration,[2] they might eventually have established themselves as a separate estate within the realm similar to the French aristocracy,[3] and English constitutional development would have been correspondingly stunted.[4] Gavaston's execution, however, made the king determined to resist the barons' pretensions and he began to show an unexpected resistance to their demands. In these changed circumstances, the magnates, in their search for allies against him, began to court the favour of the Commons, whilst on his side the king also began to realise their potentialities. Not the least of the results, therefore, of the constitutional struggle evoked by the Gavaston crisis is the fact that from this time dates the regular summons to Parliament of the Commons, for both king and barons continued steadily to compete for their support.

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4 (contd.) beginning of the reign, no political importance was attached to the Commons. They were summoned to Parliament in 1307, 1308 and 1309, but were allotted no part in the struggle against Gavaston.

1 Clarke, op.cit., p.175.

2 The extent to which they established temporary control over the public departments of government during the early years of the reign can be gauged by the number of times the chancery clerks tried to safeguard themselves from the king's actions in respect of Gavaston, by adding memoranda to the chancery enrolments disclaiming responsibility for them. (v. supra, pp.222,266,322.)

3 The great importance of the hereditary officers of state at this time is shown no less by the frank allocation of the res-

Gavaston's importance as a constitutional factor therefore outweighs his influence on political history, for, though he was the indirect cause of the loss of Scotland and of Edward's deposition, his significance in this sphere was not lasting. It is impossible to exaggerate his influence on English constitutional development, however, for it was due in no small measure to his existence that the whole tendency of Edward II's reign was to enunciate the principle that the law, as interpreted by the baronage, was superior to the king. True, the opportunism of the baronial opposition failed to realise the implications of its own constitutional programme, but, if their struggle to remove Gavaston from the king's society resulted in no actual constitutional advance, it at least helped to direct the development of the English constituion into channels that led away from the autocracy that had marked the close of the previous reign; whilst after Gavaston's execution, the bitter competition which ensued between king and baronage to enlist the support of the Commons, eventually led to the eclipse of both. In so far as "the year 1311 may well be taken as a turn-

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3 (contd.)
ponsibility for Gavaston's death to the earls of Lancaster and Hereford, the steward and constable of England, than by Lancaster's theory of the stewardship, by which he thought to exaggerate the function of the office and use it as a means of exercising restraint upon the king. (Clarke, op.cit., p.243; Conway Davies, op.cit., pp.20-21.)

4 Clarke, op.cit., p.175. Elsewhere (p.199) Miss Clarke remarks on the fact that the word 'peer' in its modern sense seems to have been used as a party catch-word from the time of the Gavaston quarrel: it appeared twice in 1312.

ing point in the history of the Commons,"[1] Gavaston may therefore be said to have been indirectly instrumental in changing the whole course of English constitutional development.

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[1] Ibid., p.161.